

ENGROSSED SENATE BILL No. 371

DIGEST OF SB 371 (Updated March 29, 2005 10:07 am - DI 109)

Citations Affected: IC 4-1; IC 6-3.1; IC 9-24; IC 9-27; IC 10-13; IC 11-10; IC 12-17; IC 20-1; IC 20-5.5; IC 20-6.1; IC 20-8.1; IC 20-10.1; IC 20-10.2; IC 20-12; IC 20-18; IC 20-20; IC 20-24; IC 20-26; IC 20-28; IC 20-30; IC 20-31; IC 20-32; IC 20-33; IC 21-6.1; IC 25-1; IC 25-33; IC 34-30; noncode.

Synopsis: Various education matters. Provides that the department of education rather than the professional standards board governs education, licensing, and professional development of teachers. Establishes a division within the department to administer these functions. Changes the current professional standards board into an advisory board to advise the state superintendent of public instruction, the state board of education, and the division of professional standards. Provides that the advisory board has rule-making authority. Establishes a fund to receive fee revenue. Establishes a teacher recruitment and retention fund. Requires training in cardiopulmonary resuscitation (CPR) and the Heimlich maneuver to obtain an initial license as a teacher. Provides that the ISTEP test must be administered during the spring semester for school years beginning after June 30, 2006. Provides for a pilot test of spring ISTEP testing in May, 2006. Requires the department of education to develop a ten year plan for student diagnostic and summative achievement assessment before August 2, 2005. Raises the age of mandatory school attendance from 16 to 18 years of age. Specifies that a student may withdraw from school before (Continued next page)

Effective: Upon passage; July 1, 2005.

Kenley, Drozda

(HOUSE SPONSOR — BEHNING)

January 11, 2005, read first time and referred to Committee on Education and Career February 21, 2005, read second time, ordered engrossed.
February 22, 2005, read second time, ordered engrossed.
February 24, 2005, read third time, passed. Yeas 32, nays 17.

HOUSE ACTION

March 8, 2005, read first time and referred to Committee on Education. March 29, 2005, amended, reported — Do Pass.



Digest Continued

becoming 18 years of age only for the reason of financial hardship, provided the student is employed and supporting the student's family or dependents. Requires a student who seeks to withdraw from school before becoming 18 years of age or graduating to sign a written acknowledgment that the student and the student's parent or guardian understand that withdrawing from school is likely to reduce the student's future earnings and increase the student's likelihood of being unemployed or incarcerated in the future. Expands the reasons a work permit and driver's license may be denied. Requires by December 31, 2005, based on some contingencies, the department of education to study and make findings and recommendations to the legislative council on alternate methods for teacher licensing certification for teacher shortage areas. Allows individuals who have failed the written teacher licensing examination at least twice to receive detailed score reports and allows these individuals to prove content knowledge assessed in the written examination by alternate means. Repeals a redundant section and adds transitional provisions.





First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in this style type, and deletions will appear in this style type.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or *this style type* reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

ENGROSSED SENATE BILL No. 371

A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 4-1-8-1, AS AMENDED BY HEA 1288-2005
SECTION 55, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
JULY 1, 2005]: Sec. 1. (a) No individual may be compelled by any
state agency, board, commission, department, bureau, or other entity or
state government (referred to as "state agency" in this chapter) to
provide the individual's Social Security number to the state agency
against the individual's will, absent federal requirements to the
contrary. However, the provisions of this chapter do not apply to the
following:

- (1) Department of state revenue.
- (2) Department of workforce development.
- (3) The programs administered by:
 - (A) the division of family and children;
- (B) the division of mental health and addiction;
- (C) the division of disability, aging, and rehabilitative services; and
- 17 (D) the office of Medicaid policy and planning;

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1	of the office of the secretary of family and social services.	
2	(4) Auditor of state.	
3	(5) State personnel department.	
4	(6) Secretary of state, with respect to the registration of	
5	broker-dealers, agents, and investment advisors.	
6	(7) The legislative ethics commission, with respect to the	
7	registration of lobbyists.	
8	(8) Indiana department of administration, with respect to bidders	
9	on contracts.	_
10	(9) Indiana department of transportation, with respect to bidders	
11	on contracts.	
12	(10) Health professions bureau.	
13	(11) Indiana professional licensing agency.	
14	(12) Indiana Department of insurance, with respect to licensing of	
15	insurance producers.	
16	(13) A pension fund administered by the board of trustees of the	
17	public employees' retirement fund.	
18	(14) The Indiana state teachers' retirement fund.	
19	(15) The state police benefit system.	
20	(16) The alcohol and tobacco commission.	
21	(b) The bureau of motor vehicles may, notwithstanding this chapter,	
22	require the following:	
23	(1) That an individual include the individual's Social Security	
24	number in an application for an official certificate of title for any	_
25	vehicle required to be titled under IC 9-17.	
26	(2) That an individual include the individual's Social Security	
27	number on an application for registration.	
28	(3) That a corporation, limited liability company, firm,	
29	partnership, or other business entity include its federal tax	
30	identification number on an application for registration.	
31	(c) The Indiana department of administration, the Indiana	
32	department of transportation, the health professions bureau, and the	
33	Indiana professional licensing agency may require an employer to	
34	provide its federal employer identification number.	
35	(d) The department of correction may require a committed offender	
36	to provide the offender's Social Security number for purposes of	
37	matching data with the Social Security Administration to determine	
38	benefit eligibility.	
39	(e) The Indiana gaming commission may, notwithstanding this	
40	chapter, require the following:	
41	(1) That an individual include the individual's Social Security	
42	number in any application for a riverboat owner's license,	



1	supplier's license, or occupational license.
2	(2) That a sole proprietorship, a partnership, an association, a
3	fiduciary, a corporation, a limited liability company, or any other
4	business entity include its federal tax identification number on an
5	application for a riverboat owner's license or supplier's license.
6	(f) Notwithstanding this chapter, the professional standards board
7	department of education established by IC 20-28-2-1 IC 20-19-3-1
8	may require an individual who applies to the board for a license or an
9	endorsement to provide the individual's Social Security number. The
10	Social Security number may be used by the board only for conducting
11	a background investigation, if the board is authorized by statute to
12	conduct a background investigation of an individual for issuance of the
13	license or endorsement.
14	SECTION 2. IC 6-3.1-2-1, AS AMENDED BY HEA 1288-2005,
15	SECTION 94, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
16	JULY 1, 2005]: Sec. 1. As used in this chapter, the following terms
17	have the following meanings:
18	(1) "Eligible teacher" means a teacher:
19	(A) certified in a shortage area by the professional standards
20	board department of education established by IC 20-28-2-1;
21	IC 20-19-3-1; and
22	(B) employed under contract during the regular school term by
23	a school corporation in a shortage area.
24	(2) "Qualified position" means a position that:
25	(A) is relevant to the teacher's academic training education in
26	a shortage area; and
27	(B) has been approved by the Indiana state board of education
28	under section 6 of this chapter.
29	(3) "Regular school term" means the period, other than the school
30	summer recess, during which a teacher is required to perform
31	duties assigned to the teacher under a teaching contract.
32	(4) "School corporation" means any corporation authorized by law
33	to establish public schools and levy taxes for their maintenance.
34	(5) "Shortage area" means the subject areas of mathematics and
35	science and any other subject area designated as a shortage area
36	by the Indiana state board of education.
37	(6) "State income tax liability" means a taxpayer's total income
38	tax liability incurred under IC 6-3 and IC 6-5.5, as computed after
39	application of credits that under IC 6-3.1-1-2 are to be applied
40	before the credit provided by this chapter.
41	SECTION 3. IC 9-24-2-1, AS AMENDED BY HEA 1288-2005,
42	SECTION 106, IS AMENDED TO READ AS FOLLOWS



1	[EFFECTIVE JULY 1, 2005]: Sec. 1. (a) A driver's license or a
2	learner's permit may not be issued to an individual less than eighteen
3	(18) years of age who meets any of the following conditions:
4	(1) Is a habitual truant under IC 20-33-2-11.
5	(2) Is under at least a second suspension from school for the
6	school year under IC 20-33-8-14 or IC 20-33-8-15.
7	(3) Is under an expulsion from school under IC 20-33-8-14,
8	IC 20-33-8-15, or IC 20-33-8-16.
9	(4) Has withdrawn from school and:
10	(A) withdrew before graduating;
11	(B) withdrew for a reason other than financial hardship; and
12	(C) the withdrawal was reported under IC 20-33-2-21(a).
13	before graduating.
14	(5) Is considered a dropout under IC 20-33-2-9.5.
15	(b) At least five (5) days before holding an exit interview under
16	$\frac{1C}{20-33-2-6(a)(3)}$, IC 20-33-2-9.5, the school corporation shall give
17	notice by certified mail or personal delivery to the student, the student's
18	parent, or the student's guardian of the following:
19	(1) That the exit interview will include a hearing to determine if
20	the reason for the student's withdrawal is financial hardship.
21	(2) If the principal determines that the reason for the student's
22	withdrawal is not financial hardship:
23	(A) the student and the student's parent or guardian will
24	receive a copy of the determination; and
25	(B) the student's name will be submitted by the student's
26	school principal to the bureau for the bureau's use in denying
27	or invalidating a driver's license or learner's permit under this
28	section.
29	SECTION 4. IC 9-27-4-5.5, AS AMENDED BY HEA 1288-2005,
30	SECTION 111, IS AMENDED TO READ AS FOLLOWS
31	[EFFECTIVE JULY 1, 2005]: Sec. 5.5. (a) To receive an instructor's
32	license under subsection (d), an individual must complete at least sixty
33	(60) semester hours at a college. The individual must complete at least
34	twelve (12) semester hours in driver education courses, of which three
35	(3) semester hours must consist of supervised student teaching
36	experience under the direction of an individual who has:
37	(1) a driver and traffic safety education endorsement issued by the
38	professional standards board department of education
39	established by IC 20-28-2-1; IC 20-19-3-1 ; and
40	(2) at least five (5) years of teaching experience in driver
41	education.
42	(b) The three (3) semester hours of supervised student teaching



1	experience required under subsection (a) may only be undertaken by an
2	individual who will be at least twenty-one (21) years of age upon
3	completion and may only be performed at a high school, a commercial
4	driving school, or the college providing the courses for the individual
5	to become an instructor. The remaining nine (9) hours of driver
6	education courses required under subsection (a) must include a
7	combination of theoretical and behind-the-wheel instruction that is
8	consistent with nationally accepted standards in traffic safety.
9	(c) The driver education semester hours required under subsection
10	(a) do not satisfy the requirements of subsection (d) or (e) unless the
11	driver education curriculum is approved by the commission for higher
12	education.
13	(d) The bureau shall issue an instructor's license to an individual
14	who satisfies all of the following:
15	(1) The individual meets the requirements of subsection (a).
16	(2) The individual does not have more than the maximum number
17	of points for violating traffic laws specified by the bureau by rules
18	adopted under IC 4-22-2.
19	(3) The individual has a good moral character, physical condition,
20	knowledge of the rules of the road, and work history. The bureau
21	shall adopt rules under IC 4-22-2 that specify the requirements,
22	including requirements about criminal convictions, necessary to
23	satisfy the conditions of this subdivision.
24	(e) The bureau shall issue an instructor's license to an individual
25	who:
26	(1) during 1995, held an instructor's license;
27	(2) meets the requirements of subsection (d)(2) and (d)(3); and
28	(3) completes the twelve (12) semester hours of driver education
29	courses required under subsection (a) not later than July 1, 1999.
30	However, an individual who has acted as an instructor for at least two
31	(2) years before January 1, 1996, is not required to complete the
32	requirements of subdivision (3) in order to receive an instructor's
33	license under this subsection.
34	(f) The bureau shall issue an instructor's license to an individual
35	who:
36	(1) holds a driver and traffic safety education endorsement issued
37	by the professional standards board department of education
38	established by IC 20-28-2-1; IC 20-19-3-1; and
39	(2) meets the requirements of subsection (d)(2) and (d)(3).
40	(g) Only an individual who holds an instructor's license issued by
41	(6) - ,

SECTION 5. IC 10-13-3-38.5, AS AMENDED BY HEA



1	1288-2005, SECTION 119, IS AMENDED TO READ AS FOLLOWS
2	[EFFECTIVE JULY 1, 2005]: Sec. 38.5. (a) Under federal P.L.92-544
3	(86 Stat. 1115), the department may use an individual's fingerprints
4	submitted by the individual for the following purposes:
5	(1) Determining the individual's suitability for employment with
6	the state, or as an employee of a contractor of the state, in a
7	position:
8	(A) that has a job description that includes contact with, care
9	of, or supervision over a person less than eighteen (18) years
.0	of age;
.1	(B) that has a job description that includes contact with, care
2	of, or supervision over an endangered adult (as defined in
3	IC 12-10-3-2), except the individual is not required to meet the
4	standard for harmed or threatened with harm set forth in
.5	IC 12-10-3-2(a)(3);
.6	(C) at a state institution managed by the office of the secretary
7	of family and social services or state department of health;
. 8	(D) at the Indiana School for the Deaf established by
9	IC 20-22-2-1;
20	(E) at the Indiana School for the Blind established by
21	IC 20-21-2-1;
22	(F) at a juvenile detention facility;
23	(G) with the gaming commission under IC 4-33-3-16;
24	(H) with the department of financial institutions under
25	IC 28-11-2-3; or
26	(I) that has a job description that includes access to or
27	supervision over state financial or personnel data, including
28	state warrants, banking codes, or payroll information
29	pertaining to state employees.
0	(2) Identification in a request related to an application for a
31	teacher's license submitted to the professional standards board
32	department of education established by IC 20-28-2-1.
33	IC 20-19-3-1.
34	An applicant shall submit the fingerprints in an appropriate format or
55	on forms provided for the employment or license application. The
66	department shall charge each applicant the fee established under
37	section 28 of this chapter and by federal authorities to defray the costs
8	associated with a search for and classification of the applicant's
19	fingerprints. The department may forward fingerprints submitted by an
10	applicant to the Federal Bureau of Investigation or any other agency for
1	processing. The state personnel department or the agency to which the
12	applicant is applying for employment or a license may receive the



results of all fingerprint investigations.

- (b) An applicant who is an employee of the state may not be charged under subsection (a).
- (c) Subsection (a)(1) does not apply to an employee of a contractor of the state if the contract involves the construction or repair of a capital project or other public works project of the state.

SECTION 6. IC 11-10-5-2, AS AMENDED BY HEA 1288-2005, SECTION 122, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 2. The advisory board of the division of professional standards board established by IC 20-28-2-1 IC 20-28-2-2 shall, in accord with IC 20-28-4 and IC 20-28-5, adopt rules under IC 4-22-2 for the licensing of teachers to be employed by the department.

SECTION 7. IC 11-10-5-3, AS AMENDED BY HEA 1288-2005, SECTION 123, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 3. Limited certificates valid for one (1) year may be granted, upon the request of the commissioner, according to rules of the advisory board of the division of professional standards board established by IC 20-28-2-1. IC 20-28-2-2. Modification of these rules may be made by the advisory board of the division of professional standards board in a way reasonably calculated to make available an adequate supply of qualified teachers. A limited certificate may be issued in cases where special training education and qualifications warrant the waiver of part of the prerequisite professional training education required for certification to teach in the public schools. The limited certificate, however, may be issued only to applicants who have graduated from an accredited college or university. Teachers of vocational education need not be graduates of an accredited college or university but shall meet requirements for conditional vocational certificates as determined by the professional standards board. department of education.

SECTION 8. IC 12-17-2-34, AS AMENDED BY HEA 1288-2005, SECTION 132, IS A MENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: (a) When the Title IV-D agency finds that an obligor is delinquent and can demonstrate that all previous enforcement actions have been unsuccessful, the Title IV-D agency shall send, to a verified address, a notice to the obligor that includes does the following:

- (1) Specifies that the obligor is delinquent.
- (2) Describes the amount of child support that the obligor is in arrears.
- (3) States that unless the obligor:







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1	(A) pays the obligor's child support arrearage in full;
2	(B) requests the activation of an income withholding order
3	under IC 31-16-15-2 and establishes a payment plan with the
4	Title IV-D agency to pay the arrearage; or
5	(C) requests a hearing under section 35 of this chapter;
6	within twenty (20) days after the date the notice is mailed, the
7	Title IV-D agency shall issue an order to the bureau of motor
8	vehicles stating that the obligor is delinquent and that the
9	obligor's driving privileges shall be suspended.
10	(4) Explains that the obligor has twenty (20) days after the notice
11	is mailed to do one (1) of the following:
12	(A) Pay the obligor's child support arrearage in full.
13	(B) Request the activation of an income withholding order
14	under IC 31-16-15-2 and establish a payment plan with the
15	Title IV-D agency to pay the arrearage.
16	(C) Request a hearing under section 35 of this chapter.
17	(5) Explains that if the obligor has not satisfied any of the
18	requirements of subdivision (4) within twenty (20) days after the
19	notice is mailed, that the Title IV-D agency shall issue a notice to:
20	(A) the board or department that regulates the obligor's
21	profession or occupation, if any, that the obligor is delinquent
22	and that the obligor may be subject to sanctions under
23	IC 25-1-1.2, including suspension or revocation of the
24	obligor's professional or occupational license;
25	(B) the supreme court disciplinary commission if the obligor
26	is licensed to practice law;
27	(C) the professional standards board as department of
28	education established by IC 20-28-2-1 IC 20-19-3-1 if the
29	obligor is a licensed teacher;
30	(D) the Indiana horse racing commission if the obligor holds
31	or applies for a license issued under IC 4-31-6;
32	(E) the Indiana gaming commission if the obligor holds or
33	applies for a license issued under IC 4-33;
34	(F) the commissioner of the department of insurance if the
35	obligor holds or is an applicant for a license issued under
36	IC 27-1-15.6, IC 27-1-15.8, or IC 27-10-3; or
37	(G) the director of the department of natural resources if the
38	obligor holds or is an applicant for a license issued by the
39	department of natural resources under the following:
40	(i) IC 14-22-12 (fishing, hunting, and trapping licenses).
41	(ii) IC 14-22-14 (Lake Michigan commercial fishing
12	license).



1	(iii) IC 14-22-16 (bait dealer's license).
2	(iv) IC 14-22-17 (mussel license).
3	(v) IC 14-22-19 (fur buyer's license).
4	(vi) IC 14-24-7 (nursery dealer's license).
5	(vii) IC 14-31-3 (ginseng dealer's license).
6	(6) Explains that the only basis for contesting the issuance of an
7	order under subdivision (3) or (5) is a mistake of fact.
8	(7) Explains that an obligor may contest the Title IV-D agency's
9	determination to issue an order under subdivision (3) or (5) by
10	making written application to the Title IV-D agency within twenty
11	(20) days after the date the notice is mailed.
12	(8) Explains the procedures to:
13	(A) pay the obligor's child support arrearage in full;
14	(B) establish a payment plan with the Title IV-D agency to pay
15	the arrearage; and
16	(C) request the activation of an income withholding order
17	under IC 31-16-15-2.
18	(b) Whenever the Title IV-D agency finds that an obligor is
19	delinquent and has failed to:
20	(1) pay the obligor's child support arrearage in full;
21	(2) establish a payment plan with the Title IV-D agency to pay the
22	arrearage and request the activation of an income withholding
23	order under IC 31-16-15-2; or
24	(3) request a hearing under section 35 of this chapter within
25	twenty (20) days after the date the notice described in subsection
26	(a) is mailed;
27	the Title IV-D agency shall issue an order to the bureau of motor
28	vehicles stating that the obligor is delinquent.
29	(c) An order issued under subsection (b) must require the following:
30	(1) If the obligor who is the subject of the order holds a driving
31	license or permit on the date the order is issued, that the driving
32	privileges of the obligor be suspended until further order of the
33	Title IV-D agency.
34	(2) If the obligor who is the subject of the order does not hold a
35	driving license or permit on the date the order is issued, that the
36	bureau of motor vehicles may not issue a driving license or permit
37	to the obligor until the bureau of motor vehicles receives a further
38	order from the Title IV-D agency.
39	(d) The Title IV-D agency shall provide the:
40	(1) full name;
41	(2) date of birth;
42	(3) verified address; and



1	(4) Social Security number or driving license number;
2	of the obligor to the bureau of motor vehicles.
3	(e) When the Title IV-D agency finds that an obligor who is an
4	applicant (as defined in IC 25-1-1.2-1) or a practitioner (as defined in
5	IC 25-1-1.2-6) is delinquent and the applicant or practitioner has failed
6	to:
7	(1) pay the obligor's child support arrearage in full;
8	(2) establish a payment plan with the Title IV-D agency to pay the
9	arrearage or request the activation of an income withholding order
10	under IC 31-16-15; or
11	(3) request a hearing under section 35 of this chapter;
12	the Title IV-D agency shall issue an order to the board regulating the
13	practice of the obligor's profession or occupation stating that the
14	obligor is delinquent.
15	(f) An order issued under subsection (e) must direct the board or
16	department regulating the obligor's profession or occupation to impose
17	the appropriate sanctions described under IC 25-1-1.2.
18	(g) When the Title IV-D agency finds that an obligor who is an
19	attorney or a licensed teacher is delinquent and the attorney or licensed
20	teacher has failed to:
21	(1) pay the obligor's child support arrearage in full;
22	(2) establish a payment plan with the Title IV-D agency to pay the
23	arrearage or request the activation of an income withholding order
24	under IC 31-16-15-2; or
25	(3) request a hearing under section 35 of this chapter;
26	the Title IV-D agency shall notify the supreme court disciplinary
27	commission if the obligor is an attorney, or the professional standards
28	board department of education if the obligor is a licensed teacher,
29	that the obligor is delinquent.
30	(h) When the Title IV-D agency finds that an obligor who holds a
31	license issued under IC 4-31-6 or IC 4-33 has failed to:
32	(1) pay the obligor's child support arrearage in full;
33	(2) establish a payment plan with the Title IV-D agency to pay the
34	arrearage and request the activation of an income withholding
35	order under IC 31-16-15-2; or
36	(3) request a hearing under section 35 of this chapter;
37	the Title IV-D agency shall issue an order to the Indiana horse racing
38	commission if the obligor holds a license issued under IC 4-31-6, or to
39	the Indiana gaming commission if the obligor holds a license issued
40	under IC 4-33, stating that the obligor is delinquent and directing the
41	commission to impose the appropriate sanctions described in



IC 4-31-6-11 or IC 4-33-8.5-3.

1	(i) When the Title IV-D agency finds that an obligor who holds a
2	license issued under IC 27-1-15.6, IC 27-1-15.8, or IC 27-10-3 has
3	failed to:
4	(1) pay the obligor's child support arrearage in full;
5	(2) establish a payment plan with the Title IV-D agency to pay the
6	arrearage and request the activation of an income withholding
7	order under IC 31-16-15-2; or
8	(3) request a hearing under section 35 of this chapter;
9	the Title IV-D agency shall issue an order to the commissioner of the
10	department of insurance stating that the obligor is delinquent and
11	directing the commissioner to impose the appropriate sanctions
12	described in IC 27-1-15.6-29 or IC 27-10-3-20.
13	(j) When the Title IV-D agency finds that an obligor who holds a
14	license issued by the department of natural resources under
15	IC 14-22-12, IC 14-22-14, IC 14-22-16, IC 14-22-17, IC 14-22-19,
16	IC 14-24-7, or IC 14-31-3 has failed to:
17	(1) pay the obligor's child support arrearage in full;
18	(2) establish a payment plan with the Title IV-D agency to pay the
19	arrearage and request the activation of an income withholding
20	order under IC 31-16-15-2; or
21	(3) request a hearing under section 35 of this chapter;
22	the Title IV-D agency shall issue an order to the director of the
23	department of natural resources stating that the obligor is delinquent
24	and directing the director to suspend or revoke a license issued to the
25	obligor by the department of natural resources as provided in
26	IC 14-11-3.
27	SECTION 9. IC 20-1-1-6.5 IS AMENDED TO READ AS
28	FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 6.5. (a) As used in this
29	section, "board" refers to the Indiana state board of education
30	established under section 1 of this chapter.
31	(b) As used in this section, "department" refers to the department of
32	education established under IC 20-1-1.1-2.
33	(c) As used in this section, "governing body" has the meaning set
34	forth in IC 20-10.1-1-5.
35	(d) As used in this section, "plan" refers to an Indiana school
36	academic plan established under section 6.3 of this chapter.
37	(e) As used in this section, "program" refers to a professional
38	development program.
39	(f) As used in this section, "school" includes the following:
40	(1) A public school.
41	(2) A nonpublic school that has voluntarily become accredited
42	under section 6 of this chapter.



1	(g) As used in this section, "superintendent" has the meaning set
2	forth in IC 20-10.1-1-6.
3	(h) A school shall develop a program as a component of a plan
4	established by the school.
5	(i) The following apply to a program developed under this section:
6	(1) The program must emphasize improvement of student
7	learning and performance.
8	(2) The program must be developed by the committee that
9	develops the school's strategic and continuous improvement and
10	achievement plan under IC 20-10.2-3-1.
11	(3) The program must be integrated with the school's strategic and
12	continuous improvement and achievement plan developed under
13	IC 20-10.2-3.
14	(j) A school committee shall submit the school's program to the
15	superintendent for the superintendent's review. The superintendent:
16	(1) shall review the plan to ensure that the program aligns with
17	the school corporation's objectives, goals, and expectations;
18	(2) may make written recommendations of modifications to the
19	program to ensure alignment; and
20	(3) shall return the program and any recommendations to the
21	school committee.
22	(k) A school committee may modify the program to comply with
23	recommendations made by the superintendent under subsection (j).
24	(l) A school committee shall submit the program as part of its plan
25	to the governing body. The governing body shall:
26	(1) approve or reject the program as part of the plan; and
27	(2) submit the program to the board as part of the plan for the
28	school.
29	(m) The board may approve a school's program only if the program
30	meets the board's core principles for professional development and the
31	following additional criteria:
32	(1) To ensure high quality professional development, the
33	program:
34	(A) is school based and collaboratively designed, and
35	encourages participants to work collaboratively;
36	(B) has a primary focus on state and local academic standards,
37	including a focus on Core 40 subject areas;
38	(C) enables teachers to improve expertise in subject
39	knowledge and teaching strategies, uses of technologies, and
40	other essential elements in teaching to high standards;
41	(D) furthers the alignment of standards, curriculum, and
42	assessments; and



1	(E) includes measurement activities to ensure the transfer of	
2	new knowledge and skills to classroom instruction.	
3	(2) A variety of resources, including needs assessments, an	
4	analysis of data regarding student learning needs, professional	
5	literature, research, and school improvement programs, are used	
6	in developing the program.	
7	(3) The program supports professional development for all	
8	stakeholders.	
9	(4) The program includes ongoing professional growth	_
10	experiences that provide adequate time and job embedded	
11	opportunities to support school improvement and student	
12	learning, including flexible time for professional development	
13	that provides professional development opportunities before,	
14	during, and after the regular school day and school year.	
15	(5) Under the program, teacher time for professional development	
16	sustains instructional coherence, participant involvement, and	
17	continuity for students.	
18	(6) The program includes effective, research based strategies to	
19	support ongoing developmental activities.	
20	(7) The program supports experiences to increase the effective	
21	use of technology to improve teaching and learning.	
22	(8) The program encourages diverse techniques, including	
23	inquiry, reflection, action research, networking, study groups,	
24	coaching, and evaluation.	_
25	(9) The program includes a means for evaluating the effectiveness	
26	of the program and activities under the program.	
27	(n) The board shall approve an evaluation system for professional	
28	development based on recommendations from the department and the	T T
29	professional standards board. advisory board for the division of	
30	professional standards established by IC 20-1-1.4-3. The department	
31	shall develop a means for measuring successful programs and activities	
32	in which schools participate. The measurements must include the	
33	following:	
34	(1) A mechanism to identify and develop strategies to collect	
35	multiple forms of data that reflect the achievement of expectations	
36	for all students. The data may include the results of ISTEP tests	
37	under IC 20-10.1-16, local tests, classroom work, and teacher and	
38	administrator observations.	
39	(2) A procedure for using collected data to make decisions.	
40	(3) A method of evaluation in terms of educator's practice and	

student learning, including standards for effective teaching and



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effective professional development.

1	(o) A school qualifies for a grant from the department when the
2	school's program, developed and submitted under this section, is
3	approved by the board upon recommendation of the department. For
4	purposes of determining whether a school qualifies for a grant under
5	this chapter, the department shall:
6	(1) review;
7	(2) suggest changes to; and
8	(3) recommend approval or rejection of;
9	a school's program.
10	(p) A school must use a grant received under this section to
11	implement all or part of the school's program by funding activities that
12	may include the following:
13	(1) Partnership programs with other entities, including
14	professional development schools.
15	(2) Teacher leadership academies, research teams, and study
16	groups.
17	(3) Workshops, seminars, and site visits.
18	(4) Cooperative programs with other school corporations.
19	(5) National board certification for teachers.
20	(q) A school may contract with private or public sector providers to
21	provide professional development activities under this section.
22	(r) A grant received under this section:
23	(1) shall be expended only for the conduct of activities specified
24	in the program; and
25	(2) shall be coordinated with other professional development
26	programs and expenditures of the school and school corporation.
27	(s) A school shall report to the department concerning the use of
28	grants received under this chapter. A school that fails to make a report
29	under this section is not eligible for a subsequent grant.
30	SECTION 10. IC 20-1-1.4-1 IS AMENDED TO READ AS
31	FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1. Notwithstanding
32	IC 20-1-1.1-1, As used in this chapter, "advisory board" refers to the
33	professional standards board advisory board for the division of
34	professional standards established by section 2 section 3 of this
35	chapter.
36	SECTION 11. IC 20-1-1.4-1.5 IS ADDED TO THE INDIANA
37	CODE AS A NEW SECTION TO READ AS FOLLOWS
38	[EFFECTIVE JULY 1, 2005]: Sec. 1.5. As used in this chapter,
39	"division" refers to the division of professional standards
40	established by section 2.5 of this chapter.

SECTION 12. IC 20-1-1.4-2 IS AMENDED TO READ AS

FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 2. Except as provided



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1	in section 7 of this chapter, the professional standards board is
2	established to govern teacher training and licensing programs.
3	Notwithstanding any other law, the board and the board's staff have
4	department has the sole authority and responsibility for making
5	recommendations concerning and otherwise governing teacher training
6	education and teacher licensing matters, including professional
7	development.
8	SECTION 13. IC 20-1-1.4-2.5 IS ADDED TO THE INDIANA
9	CODE AS A NEW SECTION TO READ AS FOLLOWS
10	[EFFECTIVE JULY 1, 2005]: Sec. 2.5. The division of professional
11	standards is established within the department to administer the
12	responsibilities of the department described in section 2 of this
13	chapter.
14	SECTION 14. IC 20-1-1.4-3 IS AMENDED TO READ AS
15	FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 3. (a) The advisory
16	board for the division of professional standards is established to
17	advise the superintendent, the board, the department, and the
18	division on matters concerning teacher education, licensing, and
19	professional development. The advisory board consists of nineteen
20	(19) voting members.
21	(b) Each voting member of the advisory board described in this
22	subsection and subsections (c) and (d) must hold an Indiana teacher's
23	license and must be actively employed by a school corporation unless
24	otherwise provided. Eighteen (18) members shall be appointed by the
25	governor as follows:
26	(1) One (1) member must hold a license and be actively employed
27	in a public school as an Indiana school superintendent.
28	(2) Two (2) members must:
29	(A) hold licenses as public school principals;
30	(B) be actively employed as public school principals; and
31	(C) be employed at schools having dissimilar grade level
32	configurations.
33	(3) One (1) member must:
34	(A) hold a license as a special education director; and
35	(B) be actively employed as a special education director in:
36	(i) a school corporation; or
37	(ii) a public school special education cooperative.
38	(4) One (1) member must be a member of the governing body of
39	a school corporation but is not required to be actively employed
40	by a school corporation or to hold an Indiana teacher's license.
41	(5) Three (3) members must meet the following conditions:

(A) Represent Indiana teacher training education units within



1	Indiana public and private institutions of higher education.
2	(B) Hold a teacher's license but not necessarily an Indiana
3	teacher's license.
4	(C) Be actively employed by the respective teacher training
5	education units but are not required to be employed by a
6	school corporation.
7	(6) Nine (9) members must be licensed and actively employed as
8	Indiana public school teachers in the following categories:
9	(A) At least one (1) member must hold an Indiana standard
10	early childhood education license.
11	(B) At least one (1) member must hold an Indiana teacher's
12	license in elementary education.
13	(C) At least one (1) member must hold an Indiana teacher's
14	license for middle/junior high school education.
15	(D) At least one (1) member must hold an Indiana teacher's
16	license in high school education.
17	(7) One (1) member must be a member of the business
18	community in Indiana, but is not required to be actively employed
19	by a school corporation or to hold an Indiana teacher's license.
20	(c) Each member described in subsection (b)(6) must be licensed
21	and actively employed as a practicing teacher in at least one (1) of the
22	following areas to be appointed:
23	(1) At least one (1) member must be licensed in special education.
24	(2) At least one (1) member must be licensed in vocational
25	education.
26	(3) At least one (1) member must be employed and licensed in
27	student services, which may include school librarians or
28	psychometric evaluators.
29	(4) At least one (1) member must be licensed in social science
30	education.
31	(5) At least one (1) member must be licensed in fine arts
32	education.
33	(6) At least one (1) member must be licensed in English or
34	language arts education.
35	(7) At least one (1) member must be licensed in mathematics
36	education.
37	(8) At least one (1) member must be licensed in science
38	education.
39	(d) At least one (1) of the voting members described in subsections
40	(b) and (c) must be a parent of a student enrolled in a public preschool
41	or public school within a school corporation in either kindergarten or
42	any of grades 1 through 12.



(e) The state superintendent shall serve as an ex officio voting member of the advisory board. The state superintendent may make recommendations to the governor as to the appointment of members on the advisory board.

SECTION 15. IC 20-1-1.4-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 4. The term of office for the appointed members of the **advisory** board is four (4) years.

SECTION 16. IC 20-1-1.4-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 5. The superintendent shall appoint the chairman director of the advisory board, shall be elected by a majority of the members of the board who shall be known as the secretary of professional standards, from among the members of the advisory board for a term of one (1) year. A member may be reelected reappointed to serve as a chairman director for subsequent terms.

SECTION 17. IC 20-1-1.4-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 6. (a) Each member of the **advisory** board who is not a state employee is not entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). Such a member is, however, entitled to reimbursement for traveling expenses and other expenses actually incurred in connection with the member's duties, as provided in the state travel policies and procedures established by the Indiana department of administration and approved by the budget agency.

(b) Each member of the **advisory** board who is a state employee is entitled to reimbursement for traveling expenses and other expenses actually incurred in connection with the member's duties, as provided in the state travel policies and procedures established by the Indiana department of administration and approved by the budget agency.

SECTION 18. IC 20-1-1.4-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 7. (a) **Subject to subsection (c) and** in addition to the powers and duties set forth in IC 20-6.1, the **advisory** board shall may adopt rules under IC 4-22-2 to do the following:

- (1) Set standards for teacher licensing and administer for the administration of a professional licensing and certification process by the department.
- (2) Approve or disapprove teacher preparation programs.
- (3) Set fees to be charged in connection with teacher licensing.
- (4) Suspend, revoke, or reinstate teacher licenses.
 - (5) Enter into agreement with other states to acquire reciprocal approval of teacher preparation programs.

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	(6) Set standards for teacher licensing relative to new subjects of
	study.
	(7) Evaluate work experience and military service relative to
	higher education and experience equivalency.
	(8) Perform any other action that relates to the improvement of
	instruction in the public schools through teacher education and
	professional development through continuing education and that
	attracts qualified candidates for teacher training education from
	among the high school graduates of Indiana.
	(9) Set standards for endorsement of school psychologists as
	independent practice school psychologists under IC 20-1-1.9.
	(b) Notwithstanding subsection (a)(1), a person shall earn one (1)
ye	ear of occupational experience for purposes of obtaining an
00	ccupational specialist certificate under this article for each year the
p	erson holds a license under IC 25-8-6.
	(c) Before publishing notice of the intent to adopt a rule under
10	C 4-22-2, the advisory board must submit the proposed rule to the
SI	uperintendent for approval. If the superintendent approves the
rı	ule, the advisory board may publish notice of the intent to adopt
	he rule. If the superintendent does not approve the rule, the
a	dvisory board may not publish notice of the intent to adopt the
rı	ule.
	SECTION 19. IC 20-1-1.4-8 IS AMENDED TO READ AS
	OLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 8. (a) The board
	epartment may recommend to the general assembly for consideration
	f the general assembly measures relating to the board's department's
_	owers and duties that improve the quality of teacher preparation or
te	eacher licensing standards.
	(b) The board department shall submit to the general assembly
b	efore November 1 of each year a report:
	(1) detailing the findings and activities of the department, the
	division, and the advisory board; and
	(2) including any recommendations developed by the board.
	under this chapter.
	SECTION 20. IC 20-1-1.4-9 IS AMENDED TO READ AS
	OLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 9. (a) The board
	epartment may, subject to approval by the budget agency, do the
	ollowing to administer the responsibilities of the department
d	escribed in section 2 of this chapter:
	(1) Establish advisory committees the board department

(2) Expend funds made available to the board department



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determines are necessary.

1	according to policies established by the budget agency.	
2	(b) The board department shall comply with the requirements for	
3	submitting a budget request to the budget agency, as set forth in	
4	IC 4-12-1, for funds to administer the responsibilities of the	
5	department described in section 2 of this chapter.	
6	SECTION 21. IC 20-1-1.4-10 IS AMENDED TO READ AS	
7	FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 10. IC 4-21.5 applies	
8	to orders issued by the board. under this chapter.	
9	SECTION 22. IC 20-1-1.4-11 IS ADDED TO THE INDIANA	
10	CODE AS A NEW SECTION TO READ AS FOLLOWS	
11	[EFFECTIVE JULY 1, 2005]: Sec. 11. There is established the	
12	professional standards fund to be administered by the department.	
13	The fund consists of fees collected under this chapter. Money in the	
14	fund does not revert to the state general fund at the end of a state	
15	fiscal year.	_
16	SECTION 23. IC 20-1-1.9-4 IS AMENDED TO READ AS	
17	FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 4. An individual who	
18	applies for an endorsement as an independent practice school	
19	psychologist must meet the following requirements:	
20	(1) Be licensed as a school psychologist by the professional	
21	standards board established by IC 20-1-1.4-2. department.	
22	(2) Be employed by a:	
23	(A) developmental center;	
24	(B) state hospital;	_
25	(C) public or private hospital;	
26	(D) mental health center;	
27	(E) rehabilitation center;	M
28	(F) private school; or	
29	(G) public school;	
30	at least thirty (30) hours per week during the contract period	
31	unless the individual is retired from full-time or part-time	
32	employment as a school psychologist or the individual has a	
33	medical condition or physical disability that restricts the mobility	
34	required for employment in a school setting.	
35	(3) Furnish satisfactory evidence to the professional standards	
36	board department that the applicant has received at least a sixty	
37	(60) semester hour master's or specialist degree in school	
38	psychology from:	
39	(A) a recognized institution of higher learning; or	
40	(B) an educational institution not located in the United States	
41	that has a program of study that meets the standards of the	
12	haard danartmant	



1	(4) Furnish satisfactory evidence to the professional standards
2	board department that the applicant has demonstrated graduate
3	level competency through the successful completion of course
4	work and a practicum in the areas of assessment and counseling.
5	(5) Furnish satisfactory evidence to the professional standards
6	board department that the applicant has at least one thousand
7	two hundred (1,200) hours of school psychology experience
8	beyond the master's degree level. At least six hundred (600) hours
9	must be in a school setting under the supervision of any of the
10	following:
11	(A) A physician licensed under IC 25-22.5.
12	(B) A psychologist licensed under IC 25-33.
13	(C) A school psychologist licensed under IC 20-1-1.4.
14	(6) Furnish satisfactory evidence to the professional standards
15	board department that the applicant has completed, in addition
16	to the requirements in subdivision (5), at least four hundred (400)
17	hours of supervised experience in identification and referral of
18	mental and behavioral disorders, including at least one (1) hour
19	each week of direct personal supervision by a:
20	(A) physician licensed under IC 25-22.5;
21	(B) psychologist licensed under IC 25-33; or
22	(C) school psychologist endorsed under this chapter;
23	with at least ten (10) hours of direct personal supervision.
24	(7) Furnish satisfactory evidence to the professional standards
25	board department that the applicant has completed, in addition
26	to the requirements of subdivisions (5) and (6), fifty-two (52)
27	hours of supervision with a physician licensed under IC 25-22.5,
28	a psychologist licensed under IC 25-33, or a school psychologist
29	endorsed under this chapter that meets the following
30	requirements:
31	(A) The fifty-two (52) hours must be completed within at least
32	twenty-four (24) consecutive months but not less than twelve
33	(12) months.
34	(B) Not more than one (1) hour of supervision may be
35	included in the total for each week.
36	(C) At least nine hundred (900) hours of direct client contact
37	must take place during the total period under subdivision
38	clause (A).
39	(8) Furnish satisfactory evidence to the professional standards
40	board department that the applicant does not have a conviction
41	for a crime that has a direct bearing on the applicant's ability to



practice competently.

1	(9) Furnish satisfactory evidence to the professional standards
2	board department that the applicant has not been the subject of
3	a disciplinary action by a licensing or certification agency of any
4	jurisdiction on the grounds that the applicant was not able to
5	practice as a school psychologist without endangering the public.
6	(10) Pass the examination provided by the professional standards
7	board. department.
8	SECTION 24. IC 20-5.5-8-4 IS AMENDED TO READ AS
9	FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 4. Except as
10	specifically provided in this article and the statutes listed in section 5
11	of this chapter, the following do not apply to a charter school:
12	(1) Any Indiana statute applicable to a governing body or school
13	corporation.
14	(2) A rule or guideline adopted by the Indiana state board of
15	education.
16	(3) A rule or guideline adopted by the advisory board of the
17	division of professional standards board of the department of
18	education (established by IC 20-1-1.4-2), IC 20-1-1.4-3), except
19	for those rules that assist a teacher in gaining or renewing a
20	standard or advanced license.
21	(4) A local regulation or policy adopted by a school corporation
22	unless specifically incorporated in the charter.
23	SECTION 25. IC 20-6.1-1-0.5 IS ADDED TO THE INDIANA
24	CODE AS A NEW SECTION TO READ AS FOLLOWS
25	[EFFECTIVE JULY 1, 2005]: Sec. 0.5. As used in this article,
26	"advisory board" refers to the advisory board of the division of
27	professional standards of the department of education established
28	by IC 20-1-1.4-3.
29	SECTION 26. IC 20-6.1-1-4 IS AMENDED TO READ AS
30	FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 4. (a) As used in this
31	article, the term "license" refers to any document issued by the
32	professional standards board established by IC 20-1-1.4, which
33	department that grants permission to serve as a particular kind of
34	teacher. The term includes but is not necessarily limited to any
35	certificate or permit issued by the professional standards board.
36	department.
37	(b) As used in this article, the term "kind of license" refers to the
38	various types and grades of licenses.
39	SECTION 27. IC 20-6.1-1-8 IS AMENDED TO READ AS
40	FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 8. Definition,

"Teacher". As used in this article, the term "teacher" means a

professional person whose position in the school corporation requires



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1	certain teacher training preparations educational preparation and
2	licensing. The term includes, but is not limited to, any superintendent,
3	supervisor, principal, attendance officer, teacher, or librarian.
4	SECTION 28. IC 20-6.1-2-1 IS AMENDED TO READ AS
5	FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1. (a) The professional
6	standards board established by IC 20-1-1.4 department shall:
7	(1) arrange a statewide system of professional instruction for
8	teacher training; education;
9	(2) accredit and inspect teacher training education schools and
10	departments which comply with the rules of the professional
11	standards board; department;
12	(3) recommend and approve courses for the training education of
13	particular kinds of teachers in accredited schools and
14	departments; and
15	(4) specify the kinds of licenses for graduates of approved
16	courses.
17	(b) The department shall work with teacher education schools
18	and departments to develop a system of teacher education that
19	ensures individuals who graduate from the schools and
20	departments are able to meet the highest professional standards.
21	SECTION 29. IC 20-6.1-2-2 IS AMENDED TO READ AS
22	FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 2. (a) Each accredited
23	school and department may use the word "accredited" in advertising its
24	approved courses and the kind of teachers it is accredited to prepare.
25	Each accredited school and department may enter into the student
26	teaching agreements specified in IC 20-5-10.
27	(b) The professional standards board department shall revoke this
28	right to use the word "accredited" when an accredited school or
29	department refuses to abide by the professional standards advisory
30	board's rules.
31	SECTION 30. IC 20-6.1-3-1 IS AMENDED TO READ AS
32	FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1. The board
33	department is responsible for the licensing of teachers.
34	SECTION 31. IC 20-6.1-3-2 IS AMENDED TO READ AS
35	FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 2. The advisory board
36	may adopt rules for:
37	(1) the issuance of a substitute license; and
38	(2) the employment of substitute licensees.
39	A person may not serve as a substitute teacher without a license issued
40	by the board. department.
41	SECTION 32. IC 20-6.1-3-3 IS AMENDED TO READ AS
42	FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 3. (a) The board



1	department shall designate:
2	(1) the grade average required for each kind of license; and
3	(2) the kinds of license to which the teachers' minimum salary
4	laws apply, including nonrenewable one (1) year limited licenses.
5	(b) The board department shall determine details of licensing not
6	provided in this chapter. These details may include requirements
7	regarding:
8	(1) the conversion of one (1) kind of license into another;
9	(2) the accreditation of teacher training education schools and
10	departments;
11	(3) the exchange and renewal of licenses;
12	(4) the endorsement of another state's license;
13	(5) the acceptance of credentials from teacher training education
14	institutions of another state;
15	(6) the academic and professional preparation for each kind of
16	license;
17	(7) the granting of permission to teach a high school subject area
18	related to the subject area for which the teacher holds a license;
19	(8) the issuance of licenses on credentials;
20	(9) the kind of license for each school position;
21	(10) the size of an elementary school requiring a licensed
22	principal; and
23	(11) other related matters.
24	However, the board department shall not later than December 31,
25	1984, establish at least one (1) system for renewing a teaching license
26	that does not require a graduate degree.
27	(c) Beginning July 1, 2005, the department, before issuing an
28	initial teaching license at any grade level to an undergraduate
29	applicant for an initial teaching license, shall require the applicant
30	to show evidence that the applicant meets one (1) of the following
31	criteria:
32	(1) Has successfully completed a course approved by the
33	board in:
34	(A) cardiopulmonary resuscitation that includes a test
35	demonstration on a mannequin;
36	(B) removing a foreign body causing an obstruction in an
37	airway; and
38	(C) the Heimlich maneuver.
39	(2) Holds a valid certification in the procedures described in
40	subdivision (1) issued by:
41	(A) the American Red Cross;
12	(R) the American Heart Association: or

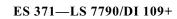


1	(C) a comparable organization or institution approved by
2	the board.
3	(3) Has physical limitations that make it impracticable for the
4	applicant to complete the course and certification required
5	under subdivisions (1) and (2).
6	(c) (d) The board department shall periodically publish bulletins
7	regarding:
8	(1) the details described in subsection (b);
9	(2) information on the kinds of licenses issued;
10	(3) the rules governing the issuance of each kind of license; and
11	(4) other similar matters.
12	SECTION 33. IC 20-6.1-3-7 IS AMENDED TO READ AS
13	FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 7. (a) On the written
14	recommendation of the state superintendent, the board department
15	may suspend or revoke a license for:
16	(1) immorality;
17	(2) misconduct in office;
18	(3) incompetency; or
19	(4) willful neglect of duty.
20	However, for each suspension or revocation, the board department
21	shall comply with IC 4-21.5-3.
22	(b) This subsection applies when a prosecuting attorney knows that
23	a licensed employee of a public school (as defined in IC 20-10.1-1-2)
24	or a nonpublic school has been convicted of an offense listed in
25	subsection (d). The prosecuting attorney shall immediately give written
26	notice of the conviction to the following:
27	(1) The state superintendent.
28	(2) Except as provided in subdivision (3), the superintendent of
29	the school corporation that employs the licensed employee or the
30	equivalent authority for the nonpublic school.
31	(3) The presiding officer of the governing body of the school
32	corporation that employs the licensed employee, if the convicted
33	licensed employee is the superintendent of the school corporation.
34	(c) The superintendent of a school corporation, presiding officer of
35	the governing body, or equivalent authority for a nonpublic school shall
36	immediately notify the state superintendent when the person knows that
37	a current or former licensed employee of the public school or nonpublic
38	school has been convicted of an offense listed in subsection (d).
39	(d) The board, department, after holding a hearing on the matter,
40	shall permanently revoke the license of a person who is known by the
41	board department to have been convicted of any of the following



felonies:

1	(1) Kidnapping (IC 35-42-3-2), if the victim is less than eighteen	
2	(18) years of age.	
3	(2) Criminal confinement (IC 35-42-3-3), if the victim is less than	
4	eighteen (18) years of age.	
5	(3) Rape (IC 35-42-4-1), if the victim is less than eighteen (18)	
6	years of age.	
7	(4) Criminal deviate conduct (IC 35-42-4-2), if the victim is less	
8	than eighteen (18) years of age.	
9	(5) Child molesting (IC 35-42-4-3).	
10	(6) Child exploitation (IC 35-42-4-4(b)).	
11	(7) Vicarious sexual gratification (IC 35-42-4-5).	
12	(8) Child solicitation (IC 35-42-4-6).	
13	(9) Child seduction (IC 35-42-4-7).	
14	(10) Sexual misconduct with a minor (IC 35-42-4-9).	
15	(11) Incest (IC 35-46-1-3), if the victim is less than eighteen (18)	
16	years of age.	
17	(12) Dealing in or manufacturing cocaine, a narcotic drug, or	
18	methamphetamine (IC 35-48-4-1).	
19	(13) Dealing in a schedule I, II, or III controlled substance	
20	(IC 35-48-4-2).	
21	(14) Dealing in a schedule IV controlled substance	
22	(IC 35-48-4-3).	
23	(15) Dealing in a schedule V controlled substance (IC 35-48-4-4).	
24	(16) Dealing in a counterfeit substance (IC 35-48-4-5).	
25	(17) Dealing in marijuana, hash oil, or hashish	
26	(IC 35-48-4-10(b)).	
27	(e) A license may be suspended by the state superintendent as	
28	specified in IC 20-6.1-4-13.	V
29	SECTION 34. IC 20-6.1-3-7.1 IS AMENDED TO READ AS	
30	FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 7.1. (a) As used in this	
31	section, "applicant" refers to an applicant for:	
32	(1) a new license;	
33	(2) a renewal license; or	
34	(3) a substitute teacher certificate;	
35	issued by the board. department.	
36	(b) As used in this section, "limited criminal history" has the	
37	meaning set forth in IC 10-13-3-11.	
38	(c) As used in this section, "disposition" has the meaning set forth	
39	in IC 10-13-3-7.	
40	(d) An applicant must do the following:	
41	(1) Submit a request to the Indiana central repository for limited	
42	criminal history information under IC 10-13-3.	





1	(2) Obtain a copy of the limited criminal history for the applicant
2	from the repository's records.
3	(3) Submit to the board department the limited criminal history
4	for the applicant.
5	(4) Submit to the board department a document verifying a
6	disposition that does not appear on the limited criminal history for
7	the applicant.
8	(e) The board department may deny the issuance of a license or
9	certificate to an applicant who is convicted of an offense for which the
10	individual's license may be revoked or suspended under this chapter.
11	(f) The board department must use the information obtained under
12	this section in accordance with IC 10-13-3-29.
13	(g) An applicant is responsible for all costs associated with meeting
14	the requirements of this section.
15	SECTION 35. IC 20-6.1-3-8 IS AMENDED TO READ AS
16	FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 8. (a) The board
17	department shall keep a record of:
18	(1) all licenses issued;
19	(2) all licenses in force; and
20	(3) the academic preparation, professional preparation, and
21	teaching experience of each applicant for a license or a license
22	renewal.
23	(b) Each superintendent shall register and keep a record of:
24	(1) the kind of license held by each teacher;
25	(2) each teacher's date of first employment; and
26	(3) each teacher's annual or monthly salary.
27	SECTION 36. IC 20-6.1-3-9 IS AMENDED TO READ AS
28	FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 9. (a) The board
29	department shall not renew the junior high/middle school or
30	secondary education license of a teacher on the basis of the teacher
31	obtaining a graduate degree unless the teacher completes at least the
32	equivalent of eighteen (18) semester hours beyond the teacher's
33	undergraduate degree in any combination of courses in the teacher's
34	major, minor, primary, supporting, or endorsement areas. These
35	semester hours may include graduate hours, undergraduate hours, or
36	both, as determined by the board. department.
37	(b) The advisory board may adopt rules under IC 4-22-2 to create
38	exceptions to subsection (a), and may grant individual waivers to
39	subsection (a).
40	(c) This section does not apply to anyone who, on or before

September 1, 1985, has earned more than the equivalent of twelve (12)



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semester hours of graduate credit.

1	SECTION 37. IC 20-6.1-3-10.1 IS AMENDED TO READ AS	
2	FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 10.1. (a) The board	
3	department may not grant an initial standard license to an individual	
4	unless the individual has demonstrated proficiency in the following	
5	areas on a written examination or through other procedures prescribed	
6	by the board: department:	
7	(1) Basic reading, writing, and mathematics.	
8	(2) Pedagogy.	
9	(3) Knowledge of the areas in which the individual is required to	
10	have a license to teach.	4
11	(4) If the individual is seeking to be licensed as an elementary	
12	school teacher, comprehensive reading instruction skills,	
13	including:	
14	(A) phonemic awareness; and	
15	(B) phonics instruction.	
16	(b) Each individual who completes a written examination	4
17	described in subsection (a) must receive the following from the	
18	examination's scorer:	
19	(1) The individual's total test score.	
20	(2) Subscores for each area tested.	
21	(3) Itemized descriptions of the areas in which the individual	
22	was found to be deficient.	
23	(c) This subsection applies to an individual who has attempted	
24	the written examination described in subsection (a) at least two (2)	
25	times and has failed to demonstrate proficiency in a test area by	
26	not more than two (2) points. An individual to whom this	
27	subsection applies may demonstrate proficiency in a test area	V
28	described in this subsection by having the teacher education school	
29	or department in which the individual is a student certify to the	
30	department that, based upon the individual's coursework, grades,	
31	fieldwork, and student teaching, and evaluations by the	
32	individual's instructors, the individual possesses the content	
33	knowledge assessed in the written examination.	
34	(b) (d) An individual's license examination score may not be	
35	disclosed by the board department without the individual's consent	
36	unless specifically required by state or federal statute or court order.	
37	(c) (e) The advisory board shall adopt rules under IC 4-22-2 to do	
38	the following: (1) Adopt validate and implement the examination or other	
39 40	(1) Adopt, validate, and implement the examination or other	
40 41	procedures required by subsection (a).	
41 42	(2) Establish examination scores indicating proficiency.	
+ ∠	(3) Otherwise carry out the purposes of this section.	



1	(d) (f) The advisory board shall adopt rules under IC 4-22-2
2	establishing the conditions under which the requirements of this
3	section may be waived for individuals holding valid teachers teacher's
4	licenses issued by another state.
5	(e) (g) Subsection (a) does not apply to individuals holding Indiana
6	limited, reciprocal, or standard teaching licenses on June 30, 1985.
7	(f) (h) If the board department is notified by the department of state
8	revenue that a person is on the most recent tax warrant list, the board
9	department may not grant an initial standard license to the person
.0	until:
1	(1) the person provides the board department with a statement
2	from the department of state revenue indicating that the person's
.3	delinquent tax liability has been satisfied; or
4	(2) the board department receives a notice from the
.5	commissioner of the department of state revenue under
.6	IC 6-8.1-8-2(k).
7	SECTION 38. IC 20-6.1-3-11 IS AMENDED TO READ AS
8	FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 11. (a) As used in this
9	section, "program" refers to the transition to teaching program
20	established by subsection (b).
21	(b) The transition to teaching program is established to accomplish
22	the following:
23	(1) Facilitate the transition into the teaching profession of
24	competent professionals in fields other than teaching.
25	(2) Allow competent professionals who do not hold a teaching
26	license to earn and be issued a teaching license through
27	participation in and satisfactory completion of the program.
28	(c) Subject to the requirements of this section, the board
29	department shall develop and administer the program. The board
30	department shall determine the details of the program that are not
31	included in this section.
32	(d) Each accredited teacher training education school and
33	department shall establish a course of study that constitutes the higher
34	education component of the program. The higher education component
55	required under this subsection must comply with the following
66	requirements:
37	(1) Include the following study requirements:
8	(A) For a program participant who seeks to obtain a license to
19	teach in grade 6 through grade 12, up to eighteen (18) credit
10	hours of study or the equivalent that prepare a program
1	participant to meet Indiana standards for teaching in the
12	subject areas corresponding to the area in which the program



1	participant has met the education requirements under
2	subsection (e), unless the program participant demonstrates
3	that the program participant requires fewer credit hours of
4	study to meet Indiana standards for teaching.
5	(B) For a program participant who seeks to obtain a license to
6	teach in kindergarten through grade 5, twenty-four (24) credit
7	hours of study or the equivalent, which must include at least
8	six (6) credit hours in the teaching of reading, that prepare a
9	program participant to meet Indiana standards for teaching,
10	unless the program participant demonstrates that the program
11	participant requires fewer credit hours of study to meet Indiana
12	standards for teaching.
13	(2) Focus on the communication of knowledge to students.
14	(3) Include suitable field or classroom experiences if the program
15	participant does not have teaching experience.
16	(e) A person who wishes to participate in the program must have
17	one (1) of the following qualifications:
18	(1) For a program participant who seeks to obtain a license to
19	teach in grade 6 through grade 12, one (1) of the following:
20	(A) A bachelor's degree or the equivalent with a grade point
21	average of three (3.0) on a four (4.0) scale from an accredited
22	institution of higher education in the subject area that the
23	person intends to teach.
24	(B) A graduate degree from an accredited institution of higher
25	education in the subject area that the person intends to teach.
26	(C) Both:
27	(i) a bachelor's degree from an accredited institution of
28	higher education with a grade point average of two and
29	five-tenths (2.5) on a four (4) point scale; and
30	(ii) five (5) years of professional experience;
31	in the subject area that the person intends to teach.
32	(2) For a program participant who seeks to obtain a license to
33	teach in kindergarten through grade 5, one (1) of the following:
34	(A) A bachelor's degree or the equivalent with a grade point
35	average of three (3.0) on a four (4.0) scale from an accredited
36	institution of higher education.
37	(B) Both:
38	(i) a bachelor's degree from an accredited institution of
39	higher education with a grade point average of two and
40	five-tenths (2.5) on a four (4.0) point scale; and
41	(ii) five (5) years of professional experience in an
42	education-related field.



1	(f) The board department shall grant an initial standard license to
2	a program participant who does the following:
3	(1) Successfully completes the higher education component of the
4	program.
5	(2) Demonstrates proficiency through a written examination in:
6	(A) basic reading, writing, and mathematics;
7	(B) pedagogy; and
8	(C) knowledge of the areas in which the program participant
9	is required to have a license to teach;
10	under section 10.1(a) of this chapter.
11	(3) Participates successfully in a beginning teacher internship
12	program under IC 20-6.1-8 (repealed) that includes
13	implementation in a classroom of the teaching skills learned in the
14	higher education component of the program.
15	(4) Receives a successful assessment of teaching skills upon
16	completion of the beginning teacher internship program from the
17	administrator of the school where the beginning teacher
18	internship program takes place, or, if the program participant does
19	not receive a successful assessment, participates continues
20	participation in the beginning teacher internship program. for a
21	second year, as provided under IC 20-6.1-8-13 (repealed). The
22	appeals provisions of IC 20-6.1-8-14 (repealed) apply to an
23	assessment under this subdivision.
24	(g) This subsection applies to a program participant who has a
25	degree described in subsection (e) that does not include all the content
26	areas of a standard license issued by the board. department. The board
27	department shall issue an initial standard license that is restricted to
28	only the content areas in which the program participant has a degree
29	unless the program participant demonstrates sufficient knowledge in
30	other content areas of the license.
31	(h) A school corporation may hire a program participant to teach
32	only in the subject area in which the participant meets the
33	qualifications set forth under subsection (e).
34	(i) After receiving an initial standard license under subsection (f) or
35	(g), a program participant who seeks to renew the participant's initial
36	standard license must meet the same requirements as other candidates
37	for license renewal.
38	(j) The advisory board may adopt rules under IC 4-22-2 to
39	administer this section. Rules adopted under this subsection must
40	include a requirement that accredited teacher training education

schools and departments submit an annual report to the board



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department of the number of individuals who:

1	(1) enroll in; and
2	(2) complete;
3	the program.
4	SECTION 39. IC 20-6.1-5-1 IS AMENDED TO READ AS
5	FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1. Computation of
6	minimum salary shall be made each school year on the basis of the
7	teacher's training, education, experience, and degree, completed as of
8	the first day of service. If a teacher is licensed by the professional
9	standards board department on the first day of service in the current
10	school year or on another date as agreed by the school employer and
11	the exclusive representative under IC 20-7.5, the minimum salary of
12	the public school teacher is as follows:
13	(1) The minimum salary of a teacher who has completed four (4)
14	years or one hundred forty-four (144) weeks of professional
15	training, education, for service during a nine (9) months school
16	term, is five thousand two hundred dollars (\$5,200). To this
17	salary, an increment of one hundred fifty dollars (\$150) shall be
18	added for each of the first ten (10) years of experience. An
19	increment of two hundred fifty dollars (\$250) shall be added to
20	this salary after the fifteenth year and again after the twentieth
21	year of experience.
22	(2) The minimum salary of a teacher who has completed five (5)
23	years or one hundred eighty (180) weeks of professional training,
24	education, for service during a nine (9) months school term, is
25	five thousand five hundred dollars (\$5,500). To this salary, an
26	increment of one hundred fifty dollars (\$150) shall be added for
27	each of the first eighteen (18) years of experience. An increment
28	of three hundred dollars (\$300) shall be added to this salary after
29	each of the following years of experience:
30	(A) The nineteenth.
31	(B) The twentieth.
32	(C) The twenty-second.
33	(D) The twenty-fourth.
34	(E) The twenty-sixth.
35	(F) The thirtieth.
36	(3) The beginning salary of a teacher who has completed less than
37	four (4) years of professional training, education, for service
38	during a nine (9) months school term, is four thousand seven
39	hundred dollars (\$4,700). To this salary, an increment of one
40	hundred twenty dollars (\$120) shall be added after each of the
41	first ten (10) years of experience.

SECTION 40. IC 20-6.1-5-2 IS AMENDED TO READ AS



1	FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 2. (a) If the school term
2	of or contract with a school corporation is more or less than nine (9)
3	months, the minimum salary as set forth in section 1 of this chapter
4	shall be proportionately increased or decreased.
5	(b) The professional standards board department shall require:
6	(1) a bachelor's degree from an accredited teacher training
7	education institution for each teacher seeking to qualify for the
8	first time for classification under section 1(1) of this chapter; and
9	(2) a master's degree for each teacher seeking to qualify for the
10	first time for classification under section 1(2) of this chapter. Five
11	(5) years of training education may not be recognized unless at
12	least a bachelor's degree has been completed.
13	(c) In fixing the annual salary of teachers when contracting with
14	them or when distributing state funds, a fraction of less than one-half
15	(1/2) of a dollar is dropped while a fraction of one-half (1/2) or more
16	is adjusted to the next whole dollar.
17	SECTION 41. IC 20-6.1-5-4 IS AMENDED TO READ AS
18	FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 4. (a) A person who:
19	(1) holds: a:
20	(A) a professional license;
21	(B) a provisional license;
22	(C) a limited license; or
23	(D) an equivalent license, which is issued by the professional
24	standards board; department; and
25	(2) serves as an occasional substitute teacher;
26	shall be compensated on the pay schedule for substitutes of the school
27	corporation he the person serves.
28	(b) A person who:
29	(1) holds a:
30	(A) professional license; or
31	(B) provisional license; and
32	(2) serves as a substitute teacher in the same teaching position for
33	more than fifteen (15) consecutive school days;
34	shall be compensated on the regular pay schedule for teachers of the
35	school corporation he the person serves.
36	SECTION 42. IC 20-8.1-3-13 IS AMENDED TO READ AS
37	FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 13. With the exception
38	of ex officio attendance officers, no person may hold the position of
39	attendance officer unless he the person has complied with all
40	standards of the professional standards board department and has been
41	properly licensed by that body. the department.
42	SECTION 43. IC 20-8.1-3-17 IS AMENDED TO READ AS



1	FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 17. (a) Subject to the
2	specific exceptions under this chapter, each individual shall attend
3	either a public school which the individual is entitled to attend under
4	IC 20-8.1-6.1 or some other school which is taught in the English
5	language.
6	(b) An individual is bound by the requirements of this chapter from
7	the earlier of the date on which the individual officially enrolls in a
8	school or, except as provided in subsection (h), the beginning of the fall
9	school term for the school year in which the individual becomes seven
0	(7) years of age until the date on which the individual meets one (1) of
1	the following conditions, whichever occurs first:
2	(1) Graduates.
3	(2) Reaches at least sixteen (16) years of age but who is less than
4	eighteen (18) years of age and meets the requirements under
5	subsection (j) concerning an exit interview are met section 17.6
6	or 17.7 of this chapter, enabling the individual to withdraw from
7	school before graduation. or
8	(3) Reaches at least eighteen (18) years of age.
9	whichever occurs first.
20	(c) An individual who:
21	(1) enrolls in school before the fall school term for the school year
22	in which the individual becomes seven (7) years of age; and
23	(2) is withdrawn from school before the school year described in
24	subdivision (1) occurs;
25	is not subject to the requirements of this chapter until the individual is
26	reenrolled as required in subsection (b). Nothing in this section shall
27	be construed to require that a child complete grade 1 before the child
28	reaches eight (8) years of age.
29	(d) An individual for whom education is compulsory under this
0	section shall attend school each year:
1	(1) for the number of days public schools are in session in the
32	school corporation in which the individual is enrolled in Indiana;
3	or
34	(2) if the individual is enrolled outside Indiana, for the number of
55	days the public schools are in session where the individual is
66	enrolled.
37	(e) In addition to the requirements of subsections (a) through (d), an
8	individual must be at least five (5) years of age on July 1 of the
9	2001-2002 school year or any subsequent school year to officially
10	enroll in a kindergarten program offered by a school cornoration

However, subject to subsection (g), the governing body of the school corporation shall adopt a procedure affording a parent of an individual



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1	who does not meet the minimum age requirement set forth in this
2	subsection the right to appeal to the superintendent of the school
3	corporation for enrollment of the individual in kindergarten at an age
4	earlier than the age that is set forth in this subsection.
5	(f) In addition to the requirements of subsections (a) through (e),
6	and subject to subsection (g), if an individual enrolls in school as
7	permitted under subsection (b) and has not attended kindergarten, the
8	superintendent of the school corporation shall make a determination as
9	to whether the individual shall enroll in kindergarten or grade 1 based
10	on the particular model assessment adopted by the governing body
11	under subsection (g).
12	(g) To assist the principal and governing bodies, the department
13	shall do the following:
14	(1) Establish guidelines to assist each governing body in
15	establishing a procedure for making appeals to the superintendent
16	of the school corporation under subsection (e).
17	(2) Establish criteria by which a governing body may adopt a
18	model assessment which will be utilized in making the
19	determination under subsection (f).
20	(h) If the parents of an individual who would otherwise be subject
21	to compulsory school attendance under subsection (b), upon request of
22	the superintendent of the school corporation, certify to the
23	superintendent of the school corporation that the parents intend to:
24	(1) enroll the individual in a nonaccredited, nonpublic school; or
25	(2) begin providing the individual with instruction equivalent to
26	that given in the public schools as permitted under section 34 of
27	this chapter;
28	not later than the date on which the individual reaches seven (7) years

not later than the date on which the individual reaches seven (7) years of age, the individual is not bound by the requirements of this chapter until the individual reaches seven (7) years of age.

- (i) The governing body of each school corporation shall designate the appropriate employees of the school corporation to conduct the exit interviews for students described in subsection (b)(2). Each exit interview must be personally attended by:
 - (1) the student's parent or guardian;
 - (2) the student;
 - (3) each designated appropriate school employee; and
- (4) the student's principal.
- (j) A student who is at least sixteen (16) years of age but less than eighteen (18) years of age is bound by the requirements of compulsory school attendance and may not withdraw from school before graduation unless:



1	(1) the student, the student's parent or guardian, and the principal
2	agree to the withdrawal; and
3	(2) at the exit interview the student provides written
4	acknowledgment of the withdrawal and the student's parent or
5	guardian and the school principal each provide written consent for
6	the student to withdraw from school.
7	(k) (j) For the purposes of this section, "school year" has the
8	meaning set forth in IC 21-2-12-3(h).
9	SECTION 44. IC 20-8.1-3-17.2 IS AMENDED TO READ AS
10	FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 17.2. (a) Each
11	governing body shall establish and include as part of the written copy
12	of its discipline rules described in IC 20-8.1-5.1-7:
13	(1) a definition of a student who is designated as a habitual truant,
14	who must be defined at a minimum as someone who is
15	chronically absent, by missing more than ten (10) unexcused
16	days of school in one (1) school year;
17	(2) the procedures under which subsection (b) will be
18	administered; and
19	(3) all other pertinent matters related to this action.
20	(b) Notwithstanding IC 9-24 concerning the minimum requirements
21	for qualifying for the issuance of an operator's license or learner's
22	permit, and subject to subsections (c) through (e), a person who is:
23	(1) at least thirteen (13) years of age but less than fifteen (15)
24	years of age;
25	(2) a habitual truant under the definition of habitual truant
26	established under subsection (a); and
27	(3) identified in a list submitted to the bureau of motor vehicles
28	under subsection (f);
29	may not be issued an operator's license or a learner's permit to drive a
30	motor vehicle or motorcycle under IC 9-24 until the person is at least
31	eighteen (18) years of age.
32	(c) A person described in subsection (b) is entitled to the procedure
33	described in IC 20-8.1-5.1-13.
34	(d) Each person described in subsection (b) who is at least thirteen
35	(13) years of age and less than eighteen (18) years of age is entitled to
36	a periodic review of that person's attendance record in school in order
37	to determine whether the prohibition described in subsection (b) shall
38	continue. In no event may the periodic reviews be conducted less than
39	one (1) time each school year.
40	(e) Upon review, the governing body may determine that the
41	person's attendance record has improved to the degree that the person

may become eligible to be issued an operator's license or a learner's



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1	permit.	
2	(f) Before February 1 and before October 1 of each year, the	
3	governing body of the school corporation shall submit to the bureau of	
4	motor vehicles the pertinent information concerning a person's	
5	ineligibility under subsection (b) to be issued the license or permit.	
6	(g) The department of education shall develop guidelines	
7	concerning criteria used in defining a habitual truant that may be	
8	considered by a governing body in complying with subsection (a).	
9	SECTION 45. IC 20-8.1-3-17.6 IS ADDED TO THE INDIANA	_
.0	CODE AS A NEW SECTION TO READ AS FOLLOWS	
1	[EFFECTIVE JULY 1, 2005]: Sec. 17.6. (a) This section applies to an	
2	individual:	`
3	(1) who:	
4	(A) attends or last attended a nonpublic nonaccredited	
.5	school;	
6	(B) is at least sixteen (16) years of age but less than	
.7	eighteen (18) years of age; and	
. 8	(C) has not completed the requirements for graduation;	
9	and	
20	(2) who:	
21	(A) wishes to withdraw from school before graduation;	
22	(B) fails to return at the beginning of a semester; or	
23	(C) stops attending school during a semester.	
24	(b) An individual to whom this section applies may withdraw	
25	from school only if the individual's principal and parent provide	
26	written consent.	_
27	SECTION 46. IC 20-8.1-3-17.7 IS ADDED TO THE INDIANA	4
28	CODE AS A NEW SECTION TO READ AS FOLLOWS	\mathcal{L}
29	[EFFECTIVE JULY 1, 2005]: Sec. 17.7. (a) This section applies to an	
50	individual:	
51 52	(1) who:(A) attends or last attended a public or nonpublic	
3	accredited school;	
54	(B) is at least sixteen (16) years of age but less than	
55	eighteen (18) years of age; and	
66	(C) has not completed the requirements for graduation;	
57	(2) who:	
8	(A) wishes to withdraw from school before graduation;	
9	(B) fails to return at the beginning of a semester; or	
10	(C) stops attending school during a semester; and	
1	(3) who has no record of transfer to another school.	
12	(b) An individual to whom this section applies may withdraw	



1	from school only if all the following conditions are met:	
2	(1) An exit interview is conducted.	
3	(2) The individual's parent consents to the withdrawal.	
4	(3) The school principal approves of the withdrawal.	
5	(4) The withdrawal is because of financial hardship and the	
6	individual is employed to support the individual's family or	
7	dependents.	
8	(5) The school principal provides to the student and the	
9	student's parent a copy of statistics compiled by the	
10	department concerning the likely consequences of life without	
11	a high school diploma.	
12	(6) The school principal advises the student and the student's	
13	parent that a driver's license or learner's permit may be	
14	revoked and may not be issued to the student upon the	
15	student's withdrawal from school, for a reason other than	
16	financial hardship.	
17	(7) The school principal advises the student and the student's	
18	parent that an employment certificate may be revoked and	
19	may not be issued to the student upon the student's	
20	withdrawal from school, for a reason other than financial	
21	hardship.	
22	(c) For purposes of this section, the following must be in written	
23	form:	
24	(1) An individual's request to withdraw from school.	
25	(2) A parent's consent to a withdrawal.	
26	(3) A principal's consent to a withdrawal.	
27	(d) If the individual's principal does not consent to the	
28	individual's withdrawal under this section, the individual's parent	V
29	may appeal the denial of consent to the governing body of the	J
30	public or nonpublic accredited school that the individual last	
31	attended.	
32	(e) Each public school, including each school corporation and	
33	each charter school (as defined in IC 20-5.5-1-4), and each	
34	nonpublic accredited school shall provide an annual report to the	
35	department setting forth the following information:	
36	(1) The total number of individuals:	
37	(A) who withdrew from school under this section; and	
38	(B) who either:	
39	(i) failed to return to school at the beginning of a	
40	semester; or	
41	(ii) stopped attending school during a semester;	
42	and for whom there is no record of transfer to another	



1	school.
2	(2) The number of individuals who withdrew from school for
3	the reason set forth in subsection (b)(4).
4	(f) If an individual to which this section applies:
5	(1) has not received consent to withdraw from school under
6	this section; and
7	(2) fails to return to school at the beginning of a semester or
8	during the semester;
9	the principal of the school that the individual last attended shall
10	deliver by certified mail or personal delivery to the bureau of child
11	labor a record of the individual's failure to return to school so that
12	the bureau of child labor revokes any employment certificates
13	issued to the individual and does not issue any additional
14	employment certificates to the individual. For purposes of
15	IC 20-8.1-4-12, the individual shall be considered a dropout.
16	(g) At the same time that a school principal delivers the record
17	under subsection (f), the principal shall deliver by certified mail or
18	personal delivery to the bureau of motor vehicles a record of the
19	individual's failure to return to school so that the bureau of motor
20	vehicles revokes any driver's license or learner's permit issued to
21	the individual and does not issue any additional driver's licenses or
22	learner's permits to the individual before the individual is at least
23	eighteen (18) years of age. For purposes of IC 9-24-2-1, the
24	individual shall be considered a dropout.
25	(h) If:
26	(1) a principal has delivered the record required under
27	subsection (f) or (g), or both; and
28	(2) the school subsequently gives consent to the individual to
29	withdraw from school under this section,
30	the principal of the school shall send a notice of withdrawal to the
31	bureau of child labor and the bureau of motor vehicles by certified
32	mail or personal delivery. For purposes of IC 20-8.1-4-12 and
33	IC 9-24-2-1, the individual shall no longer be considered a dropout.
34	SECTION 47. IC 20-8.1-4-12 IS AMENDED TO READ AS
35	FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 12. (a) Except as
36	provided in subsection (b), upon presentation of the documents
37	required by section 7 of this chapter, an employment certificate shall
38	be issued immediately to the child. However, an issuing officer may
39	deny a certificate to a child:
40	(1) whose attendance is not in good standing; or
41	(2) whose academic performance does not meet the school



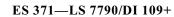
corporation's standard.

1	(b) An employment certificate may not be issued to a student
2	who meets any of the following conditions:
3	(1) Is a habitual truant under IC 20-8.1-3-17.2.
4	(2) Is under at least a second suspension from school for the
5	school year under IC 20-8.1-5.1-8 or IC 20-8.1-5.1-9.
6	(3) Is under an expulsion from school under IC 20-8.1-5.1-8,
7	IC 20-8.1-5.1-9, or IC 20-8.1-5.1-10.
8	(4) Is considered a dropout under IC 20-8.1-3-17.7.
9	(5) Does not meet the academic performance standards of the
10	school corporation.
11	(b) (c) Within five (5) days, the issuing officer shall send a copy of
12	the employment certificate to the department of labor. The issuing
13	officer shall keep a record in his office of each employment certificate
14	issued.
15	(c) (d) A student may appeal the denial of a certificate under
16	subsection (a) to the school principal.
17	(e) At least five (5) days before holding an exit interview under
18	IC 20-8.1-3-17.7, the school corporation shall give notice by
19	certified mail or personal delivery to the student or the student's
20	parent of the following:
21	(1) That the exit interview will include a hearing to determine
22	if the reason for the student's withdrawal is financial
23	hardship.
24	(2) If the principal determines that the reason for the
25	student's withdrawal is not financial hardship:
26	(A) the student and the student's parent will receive a copy
27	of the determination; and
28	(B) the student's name will be submitted to the bureau of
29	child labor by the student's school principal for the bureau
30	of child labor's use in denying or invalidating an
31	employment certificate under this section.
32	SECTION 48. IC 20-8.1-6.1-6.1 IS AMENDED TO READ AS
33	FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 6.1. (a) A school
34	corporation may enter into an agreement with:
35	(1) a nonprofit corporation that operates a federally approved
36	education program; or
37	(2) a nonprofit corporation that:
38	(A) is exempt from federal income taxation under Section
39	501(c)(3) of the Internal Revenue Code;
40	(B) for its classroom instruction, employs teachers who are
41	certified by the professional standards board; department;
42	(C) employs other professionally and state licensed staff as



1	appropriate; and
2	(D) educates children who:
3	(i) have been suspended, expelled, or excluded from a public
4	school in that school corporation and have been found to be
5	emotionally disturbed;
6	(ii) have been placed with the nonprofit corporation by court
7	order;
8	(iii) have been referred by a local health department; or
9	(iv) have been placed in a state licensed private or public
10	health care or child care facility as described in section 5(b)
11	of this chapter;
12	in order to provide a student with an individualized education program
13	that is the most suitable educational program available.
14	(b) If a school corporation that is a transferee corporation enters into
15	an agreement as described in subsection (a), the school corporation
16	shall pay to the nonprofit corporation an amount agreed upon from the
17	transfer tuition of the student. The amount agreed upon may not exceed
18	the transfer tuition costs that otherwise would be payable to the
19	transferee corporation.
20	(c) If a school corporation that is a transferor corporation enters into
21	an agreement as described in subsection (a), the school corporation
22	shall pay to the nonprofit corporation an amount agreed upon which
23	may not exceed the transfer tuition costs that otherwise would be
24	payable to a transferee school corporation.
25	SECTION 49. IC 20-10.1-4-4.5 IS AMENDED TO READ AS
26	FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 4.5. (a)
27	Notwithstanding IC 20-10.1-1-0.5, this section applies only to public
28	schools (as defined in IC 20-10.1-1-2).
29	(b) As used in this section, "good citizenship instruction" means
30	integrating into the current curriculum instruction that stresses the
31	nature and importance of the following:
32	(1) Being honest and truthful.
33	(2) Respecting authority.
34	(3) Respecting the property of others.
35	(4) Always doing one's personal best.
36	(5) Not stealing.
37	(6) Possessing the skills necessary to live peaceably in society and
38	not resorting to violence to settle disputes, including methods of
39	conflict resolution.
40	(7) Taking personal responsibility for obligations to family and
41	community.
42	(8) Taking personal responsibility for earning a livelihood.







1	(9) Treating others the way one would want to be treated.
2	(10) Respecting the national flag, the Constitution of the United
3	States, and the Constitution of the State of Indiana.
4	(11) Respecting one's parents and home.
5	(12) Respecting one's self.
6	(13) Respecting the rights of others to have their own views and
7	religious beliefs.
8	(c) The department shall identify and make available to school
9	corporations models of conflict resolution instruction, which may
10	consist of a program of teacher training education with application of
11	the techniques to the children in the classroom, to assist school
12	corporations in complying with this section.
13	SECTION 50. IC 20-10.1-4-12 IS AMENDED TO READ AS
14	FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 12. (a) To:
15	(1) educate students on the importance of their future career
16	choices;
17	(2) prepare students for the realities inherent in the work
18	environment; and
19	(3) instill in students work values that will enable them to succeed
20	in their respective careers;
21	and beginning with the 1994-95 school year, each school within a
22	school corporation shall include in the school's curriculum for all
23	students in grades 1 through 12 instruction concerning employment
24	matters and work values.
25	(b) Each school shall:
26	(1) integrate within the curriculum instruction that is; or
27	(2) conduct activities or special events periodically that are;
28	designed to foster overall career awareness and career development as
29	described in subsection (a).
30	(c) The department shall develop career awareness and career
31	development models as described in subsection (d) to assist schools in
32	complying with this section.
33	(d) The models shall be developed in accordance with the following:
34	(1) For grades 1 through 5, career awareness models to introduce
35	students to work values and basic employment concepts.
36	(2) For grades 6 through 8, initial career information models that
37	focus on career choices as they relate to student interest and skills.
38	(3) For grades 9 through 10, career exploration models that offer
39	students insight into future employment options.
40	(4) For grades 11 through 12, career preparation models that
41	provide job or further education counseling, including the
42	following:



1	(A) Initial job counseling, including the utilization of job
2	service officers to provide school based assessment,
3	information, and guidance on employment options and the
4	rights of students as employees.
5	(B) Workplace orientation visits.
6	(C) On-the-job experience exercises.
7	(e) The department, with assistance from the department of labor
8	and the department of workforce development, shall:
9	(1) develop and make available teacher guides; and
10	(2) conduct seminars or other teacher training education
11	activities;
12	to assist teachers in providing the instruction described in this section.
13	(f) The department shall, with assistance from the department of
14	workforce development, design and implement innovative career
15	preparation demonstration projects for students in at least grade 9.
16	SECTION 51. IC 20-10.1-7-12.5 IS AMENDED TO READ AS
17	FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 12.5. (a) A school
18	corporation may enter into an agreement with:
19	(1) another school corporation;
20	(2) an accredited nonpublic school; or
21	(3) entities described in both subdivisions (1) and (2);
22	to offer a joint summer school program for high school students under
23	this section.
24	(b) An agreement under this section must:
25	(1) designate one (1) participating school corporation as the local
26	education agency for the joint educational program; and
27	(2) specify how the costs of the joint summer school program,
28	including compensation for teachers, will be allocated among the
29	parties to the agreement.
30	(c) The parties to an agreement under subsection (a) may provide
31	educational programs:
32	(1) that are not regularly provided as part of the established
33	curriculum during the school year; and
34	(2) for which a student who successfully completes a program
35	may receive high school and college credit under an articulation
36	agreement or dual credit provision under IC 20-10.1-4.4-9,
37	IC 20-12-1-9, or IC 20-12-17.1.
38	(d) Except as provided in subsection (e), an instructor for an
39	educational program described in subsection (c) must be:
40	(1) licensed under IC 20-6.1; or
41	(2) granted a substitute teacher's license by the professional
42	standards board. department.



1	(e) If the school superintendent of the school corporation that is the
2	local education agency determines that there:
3	(1) is not a qualified licensed teacher available from the entities
4	entering into an agreement under subsection (a); and
5	(2) is a qualified postsecondary instructor available;
6	to instruct in an educational program described under subsection (c),
7	the superintendent may request the professional standards board
8	department to issue a substitute teacher's license to the instructor of
9	an educational program described in subsection (c).
10	(f) If the professional standards board department finds that there
11	is not a qualified licensed teacher available from the entities entering
12	into an agreement under subsection (a) to instruct in an educational
13	program described under subsection (c), the professional standards
14	board department may issue a substitute teacher's license to the
15	instructor of an educational program described in subsection (c).
16	(g) An instructor for an educational program described under
17	subsection (c) must be compensated at the same rate as that determined
18	for a teacher under IC 20-6.1-4-8 and the local education agency's
19	contract with certificated employees.
20	(h) The board shall adopt rules under IC 4-22-2 to govern the
21	distribution of state funds for purposes of this section.
22	SECTION 52. IC 20-10.1-16-4 IS AMENDED TO READ AS
23	FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 4. (a) The board shall:
24	(1) authorize the development and implementation of the Indiana
25	statewide testing for educational progress program; and
26	(2) determine the date, which for school years beginning after
27	June 30, 2006, must be during the first two (2) weeks that end
28	in May of the school year, on which the statewide testing is
29	administered in each school corporation.
30	(b) The state superintendent is responsible for the overall
31	development, implementation, and monitoring of the ISTEP program.
32	(c) The department shall prepare detailed design specifications for
33	the ISTEP program that must do the following:
34	(1) Take into account the academic standards.
35	(2) Include testing of students' higher level cognitive thinking in
36	each subject area tested.
37	(3) Provide for a pilot test for reliability and validation to be
38	given during the first two (2) weeks that end in May 2006, and
39	for the following schedule concerning the administration,
40	scoring, and reporting of results, for school years beginning
41	after June 30, 2006:
42	(A) Test administration conducted during the first two (2)



1	weeks that end in May.	
2	(B) Test scoring completed before June 16.	
3	(C) Test results reported to teachers and parents before	
4	July 1.	
5	(D) Yearly progress reported to parents and the federal	
6	government before July 16.	
7	SECTION 53. IC 20-10.1-16-4.1 IS ADDED TO THE INDIANA	
8	CODE AS A NEW SECTION TO READ AS FOLLOWS	
9	[EFFECTIVE UPON PASSAGE]: Sec. 4.1. (a) Before August 2, 2005,	
.0	the department shall develop a ten (10) year plan for student	
1	diagnostic and summative achievement assessment that must	
2	include a system that:	
.3	(1) has as its purposes to:	
4	(A) provide teachers with diagnostic assessment tools	
.5	during the school year to determine whether each student	
.6	is learning below, at, or above the academic standards for	
.7	that grade and subject so that the teacher may direct	
. 8	instruction accordingly;	
.9	(B) annually assess the progress of each student under the	
20	academic standards toward the knowledge and skills	
21	necessary for success in postsecondary education,	
22	workplace education, and lifelong learning; and	
23	(C) confirm before graduation that each student has the	
24	knowledge and skills necessary for success in	_
25	postsecondary education, workplace education, and	
26	lifelong learning.	
27 28	(2) uses:	W
.6 !9	(A) a diagnostic assessment tool for language arts (including English), mathematics, science, and social	
30	studies in kindergarten through at least grade 8 to support	
1	on-line, intra-year diagnostic assessments of individual or	
52	collective students by teachers to assist efforts to accelerate	
3	learning by students performing below expectations and	
34	support further learning by students performing at or	
55	above expectations;	
66	(B) annual on-line end of the school year assessments for	
37	grades 3 through 8 that assess whether students are	
8	proficient in the subject matter of the grades in language	
9	arts (including English), mathematics, science, and social	
10	studies, as determined by the academic standards	
1	applicable to the subjects and grades;	
12	(C) on-line end of course assessments in grades 9 through	



1	12 that assess whether students are proficient in the
2	subject matter of the courses in language arts (including
3	English), mathematics, science, and social studies, as
4	determined by the academic standards applicable to the
5	subjects and courses;
6	(D) a new graduation examination, effective at least for the
7	students expected to graduate at the end of the school year
8	beginning July 1, 2010, and ending June 30, 2011, that
9	confirms that the student has demonstrated the knowledge
10	and skills necessary for success in postsecondary
11	education, workplace education, and lifelong learning; and
12	(E) a separate written essay examination for each grade
13	that must be reported as a separate part of the assessment
14	results and that must be used independently by teachers
15	and schools to determine whether the student is writing at
16	a level commensurate with the needs and expectations of
17	learning and communicating at that grade level;
18	(3) uses on-line testing to provide ease of use and timely
19	return of results;
20	(4) supports an annual cycle of learning, assessment, and
21	feedback that:
22	(A) provides on-line question banks and means for
23	diagnostic assessments for teachers to use during the
24	school year to assess whether students are performing
25	below, at, or above expectations for each subject and
26	grade;
27	(B) administers annual student assessments and graduate
28	examinations during the first two (2) weeks that end in
29	May each year;
30	(C) reports results to teachers, parents, communities, and
31	the federal government before July 16 each year; and
32	(D) provides for a common method and means by which
33	teachers shall grade the independent written essay.
34	(b) Before October 1, 2005, the department, the office of
35	management and budget, and the attorney general shall develop
36	specifications and a process for a long term contract with an
37	assessment provider to implement the plan developed under this
38	section. The department shall consult with postsecondary
39	education and workplace employers in the state to ensure that the
40	specifications comply with subsection (a)(1)(C). The department

shall consult with superintendents in the state to ensure that the

specifications comply with subsection (a)(2)(A). The specifications



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must comply with this section. The initial specifications must provide for pilot assessments to be given in the period during the first two (2) weeks that end in May 1, 2006, and annual assessments to be given during the first two (2) weeks of May 2007. The process must solicit interest from national and international assessment companies, put out a request for proposals, and solicit proposals for a plan to transition to the assessment system provided for in this section and manage the system, subject to the specifications, until the school year beginning July 1, 2016, and ending June 30, 2017, notwithstanding any other law that limits the maximum term of state contracts. Proposals received shall be reviewed jointly by the department and the office of management and budget, which shall jointly determine the successful bidder, subject to the approval of the attorney general for form and legality of the bid process. The bid process must be completed before January 1, 2006.
(c) If a successful bidder is selected, the pilot test contemplated
by section $4(c)(3)$ of this chapter for the period during the first two
(2) weeks that end in May 2006, shall be replaced by the pilot test
contemplated by this section.
SECTION 54. IC 20-10.1-16-5 IS AMENDED TO READ AS
FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 5. (a) The purposes of
the ISTEP program developed under this chapter are as follows:

(1) To assess the strengths and weaknesses of school performance.

- (2) To assess the effects of state and local educational programs.
- (3) To compare achievement of students in Indiana to achievement of students on a national basis.
- (4) To provide a source of information for state and local decision makers with regard to educational matters, including the following:
 - (A) The overall academic progress of students.
 - (B) The need for new or revised educational programs.
 - (C) The need to terminate existing educational programs.
 - (D) Student readiness for postsecondary school experiences.
 - (E) Overall curriculum development and revision activities.
 - (F) Identifying students who may need remediation under IC 20-10.1-17.
 - (G) Diagnosing individual student needs.
 - (H) Teacher training education and staff development activities.
- (b) To carry out the purposes described in subsection (a), each







1	English/language arts and mathematics test developed for use under
2	ISTEP must include the following:
3	(1) A method of testing basic skills appropriate for the designated
4	grade level, including multiple choice questions.
5	(2) A method of testing applied skills appropriate for the
6	designated grade level, including short answer or essay questions
7	and the solving of arithmetic or mathematical problems.
8	(3) A method of testing and grading that will allow comparison
9	with national and international academic standards.
10	SECTION 55. IC 20-10.2-8-1 IS AMENDED TO READ AS
11	FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1. (a) The professional
12	standards board, in consultation with the department shall develop
13	guidelines for use by accredited teacher training education institutions
14	and departments in preparing individuals to teach in various
15	environments.
16	(b) The guidelines developed under subsection (a) must include
17	courses and methods that assist individuals in developing cultural
18	competency.
19	SECTION 56. IC 20-10.2-8-2 IS AMENDED TO READ AS
20	FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 2. The department in
21	consultation with the professional standards board, shall develop and
22	make available to school corporations and nonpublic schools materials
23	that assist teachers, administrators, and staff in a school in developing
24	cultural competency for use in providing professional and staff
25	development programs.
26	SECTION 57. IC 20-12-22.2 IS ADDED TO THE INDIANA
27	CODE AS A NEW CHAPTER TO READ AS FOLLOWS
28	[EFFECTIVE JULY 1, 2005]:
29	Chapter 22.2. Teacher Recruitment and Retention Fund
30	Sec. 1. As used in this chapter, "board" refers to the advisory
31	board of the division of professional standards of the department
32	of education established by IC 20-28-2-2.
33	Sec. 2. As used in this chapter, "fund" refers to the teacher
34	recruitment and retention fund established by section 3 of this
35	chapter.
36	Sec. 3. (a) The teacher recruitment and retention fund is
37	established.
38	(b) The purpose of the fund is to attract additional qualified
39	teachers to the geographic areas of Indiana where there is a critical
40	shortage of teachers, as determined by the board, by granting loan
41	repayment assistance authorized under this chapter to eligible



applicants.

1	(c) The fund consists of gifts, grants, devises, or bequests made
2	to the state to achieve the purposes of the fund.
3	(d) The fund shall be administered by the board. The expenses
4	of administering the fund shall be paid from money in the fund.
5	(e) Funds appropriated to the fund shall be placed in the state
6	treasury to the credit of the fund. Loan repayment assistance
7	payments shall be made from the fund by the treasurer of state
8	upon a warrant issued by the auditor of state in accordance with
9	rules adopted by the board.
10	Sec. 4. The board shall receive and consider all applications for
11	loan repayment assistance received from teachers with outstanding
12	guaranteed student loans made, issued, or guaranteed under a
13	program authorized by Title IV of the Higher Education Act of
14	1965 (20 U.S.C. 1070 et seq.).
15	Sec. 5. (a) To qualify for loan repayment assistance for student
16	loans under this chapter a person must:
17	(1) hold a license to teach under IC 20-28-5;
18	(2) complete at least one (1) year of teaching service in a
19	geographic area of Indiana where a critical shortage of
20	teachers exists, as determined by the board;
21	(3) agree in writing to the employment requirements set forth
22	in section 7 of this chapter; and
23	(4) meet any additional criteria established by the board.
24	(b) For each year for which a teacher qualifies under subsection
25	(a), the board may grant loan repayment assistance to the teacher
26	in an amount not to exceed the lesser of:
27	(1) fifty percent (50%) of the total principal and interest of
28	the guaranteed student loans owed by the teacher during the
29	year for which the teacher qualifies under subsection (a); or
30	(2) three thousand dollars (\$3,000).
31	(c) The loan repayment assistance granted to a qualified teacher
32	under this chapter must be used to reduce the principal and
33	interest on a guaranteed student loan owed by that qualified
34	teacher. The years of service rendered to obtain loan repayment
35	assistance for student loans must be consecutive and may not
36	exceed five (5) years. The maximum amount of loan repayment
37	assistance that may be granted to any qualified teacher is fifteen
38	thousand dollars (\$15,000).
39	Sec. 6. A qualified teacher must apply for a loan repayment on
40	a form supplied by the board. The board shall consider each

application and determine the eligibility of the applicant for the



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loan repayment assistance.

1	Sec. 7. (a) Before being granted loan repayment assistance
2	under this chapter, a teacher must enter into a contract with the
3	board agreeing to the terms and conditions upon which the loan
4	repayment assistance will be granted to the teacher.
5	(b) As a condition of being granted loan repayment assistance
6	under this chapter, a teacher must agree to employment for a
7	period of at least five (5) years as a licensed teacher in a school
8	district located in a geographic area of Indiana where a critical
9	shortage of teachers exists.
10	(c) Service rendered by a teacher in a geographic area where a
11	critical shortage of teachers exists before that teacher becomes a
12	participant in the program may not be considered to have fulfilled
13	the employment commitment required by subsection (b).
14	(d) A person failing to comply with the employment
15	commitment required by subsection (b) in any required school year
16	is immediately in breach of contract and immediately becomes
17	liable to the board for the sum of all loan payments awarded to
18	that person, less one-third $(1/3)$ of the amount of that sum for each
19	year that service was rendered, plus interest accruing at the
20	current federal Stafford Loan rate at the time the breach occurs.
21	Sec. 8. The board shall maintain complete and accurate records
22	in implementing the fund, including records of the following:
23	(1) The receipt, disbursement, and uses of money from the
24	fund.
25	(2) The number of applications for loan repayment assistance.
26	(3) The number and amount of loans for which loan
27	repayment assistance has been provided by the board.
28	(4) Other pertinent information requested by the board.
29	Sec. 9. The board may adopt rules under IC 4-22-2 necessary to
30	carry out this chapter, including rules governing the enforcement
31	of any employment requirements and repayment requirements.
32	SECTION 58. IC 20-18-2-22, AS ADDED BY HEA 1288-2005,
33	SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
34	JULY 1, 2005]: Sec. 22. (a) "Teacher" means a professional person
35	whose position in a school corporation requires certain teacher training
36	preparations educational preparation and licensing.
37	(b) For purposes of IC 20-28, the term includes the following:
38	(1) A superintendent.
39	
	(2) A supervisor.
40	(3) A principal.



1	(6) A librarian.
2	SECTION 59. IC 20-20-31-10, AS ADDED BY HEA 1288-2005,
3	SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4	JULY 1, 2005]: Sec. 10. The state board shall approve an evaluation
5	system for professional development based on recommendations from
6	the department and the advisory board of the division of professional
7	standards board established by IC 20-28-2-1. IC 20-28-2-2. The
8	department shall develop a means for measuring successful programs
9	and activities in which schools participate. The measurements must
10	include the following:
11	(1) A mechanism to identify and develop strategies to collect
12	multiple forms of data that reflect the achievement of expectations
13	for all students. The data may include the results of ISTEP
14	program tests under IC 20-31-3, IC 20-32-4, IC 20-32-5, and
15	IC 20-32-6, local tests, classroom work, and teacher and
16	administrator observations.
17	(2) A procedure for using collected data to make decisions.
18	(3) A method of evaluation in terms of educator's practice and
19	student learning, including standards for effective teaching and
20	effective professional development.
21	SECTION 60. IC 20-24-8-4, AS ADDED BY HEA 1288-2005,
22	SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
23	JULY 1, 2005]: Sec. 4. Except as specifically provided in this article
24	and the statutes listed in section 5 of this chapter, the following do not
25	apply to a charter school:
26	(1) An Indiana statute applicable to a governing body or school
27	corporation.
28	(2) A rule or guideline adopted by the state board.
29	(3) A rule or guideline adopted by the advisory board of the
30	division of professional standards board of the department
31	established by IC 20-28-2-1(a), IC 20-28-2-2 , except for those
32	rules that assist a teacher in gaining or renewing a standard or
33	advanced license.
34	(4) A local regulation or policy adopted by a school corporation
35	unless specifically incorporated in the charter.
36	SECTION 61. IC 20-26-11-11, AS ADDED BY HEA 1288-2005,
37	SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
38	JULY 1, 2005]: Sec. 11. (a) A school corporation may enter into an
39	agreement with:
40	(1) a nonprofit corporation that operates a federally approved
41	education program; or



(2) a nonprofit corporation that:

1	(A) is exempt from federal income taxation under Section
2	501(c)(3) of the Internal Revenue Code;
3	(B) for its classroom instruction, employs teachers who are
4	certified by the professional standards board; department;
5	(C) employs other professionally and state licensed staff as
6	appropriate; and
7	(D) educates children who:
8	(i) have been suspended, expelled, or excluded from a public
9	school in that school corporation and have been found to be
10	emotionally disturbed;
11	(ii) have been placed with the nonprofit corporation by court
12	order;
13	(iii) have been referred by a local health department; or
14	(iv) have been placed in a state licensed private or public
15	health care or child care facility as described in section 8(b)
16	of this chapter;
17	in order to provide a student with an individualized education program
18	that is the most suitable educational program available.
19	(b) If a school corporation that is a transferee corporation enters into
20	an agreement as described in subsection (a), the school corporation
21	shall pay to the nonprofit corporation an amount agreed upon from the
22	transfer tuition of the student. The amount agreed upon may not exceed
23	the transfer tuition costs that otherwise would be payable to the
24	transferee corporation.
25	(c) If a school corporation that is a transferor corporation enters into
26	an agreement as described in subsection (a), the school corporation
27	shall pay to the nonprofit corporation an amount agreed upon, which
28	may not exceed the transfer tuition costs that otherwise would be
29	payable to a transferee school corporation.
30	SECTION 62. IC 20-28-1-1.5 IS ADDED TO THE INDIANA
31	CODE AS A NEW SECTION TO READ AS FOLLOWS
32	[EFFECTIVE JULY 1, 2005]: Sec. 1.5. "Advisory board" refers to
33	the advisory board of the division of professional standards
34	established by IC 20-28-2-2.
35	SECTION 63. IC 20-28-1-2, AS ADDED BY HEA 1288-2005,
36	SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
37	JULY 1, 2005]: Sec. 2. "Applicant" refers to an applicant for:
38	(1) a new license;
39	(2) a renewal license; or
40	(3) a substitute teacher certificate;
41	issued by the board. department.
42	SECTION 64. IC 20-28-1-5.5 IS ADDED TO THE INDIANA



CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 5.5 "Division" refers to the division of professional standards of the department of education established by IC 20-28-2-1.5.**

SECTION 65. IC 20-28-1-7, AS ADDED BY HEA 1288-2005, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 7. "License" refers to a document issued by the board department that grants permission to serve as a particular kind of teacher. The term includes any certificate or permit issued by the board. department.

SECTION 66. IC 20-28-2-1, AS ADDED BY HEA 1288-2005, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1. (a) Except as provided in section 6 of this chapter, the professional standards board is established to govern teacher training and licensing programs. (b) Notwithstanding any other law, the board and the board's staff have department has the sole authority and responsibility for making recommendations concerning and governing teacher training education and teacher licensing matters, including professional development.

SECTION 67. IC 20-28-2-1.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1.5. The division of professional standards is established within the department to administer the responsibilities of the department described in section 2 of this chapter.

SECTION 68. IC 20-28-2-2, AS ADDED BY HEA 1288-2005, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 2. (a) The advisory board of the division of professional standards is established to advise the superintendent, the board, the department, and the division on matters concerning teacher education, licensing, and professional development. The advisory board consists of nineteen (19) voting members.

- (b) Except as otherwise provided, each voting member of the **advisory** board described in this subsection must be actively employed by a school corporation. Eighteen (18) members shall be appointed by the governor as follows:
 - (1) One (1) member must hold a license and be actively employed in a public school as an Indiana school superintendent.
 - (2) Two (2) members must:
 - (A) hold licenses as public school principals;
 - (B) be actively employed as public school principals; and
 - (C) be employed at schools having dissimilar grade level



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1	configurations.	
2	(3) One (1) member must:	
3	(A) hold a license as a special education director; and	
4	(B) be actively employed as a special education director in:	
5	(i) a school corporation; or	
6	(ii) a public school special education cooperative.	
7	(4) One (1) member must be a member of the governing body of	
8	a school corporation but is not required to be actively employed	
9	by a school corporation or to hold an Indiana teacher's license.	
10	(5) Three (3) members must meet the following conditions:	4
11	(A) Represent Indiana teacher training education units within	
12	Indiana public and private institutions of higher education.	
13	(B) Hold a teacher's license but not necessarily an Indiana	
14	teacher's license.	
15	(C) Be actively employed by the respective teacher training	
16	education units.	4
17	The members described in this subdivision are not required to be	
18	employed by a school corporation.	
19	(6) Nine (9) members must be licensed and actively employed as	
20	Indiana public school teachers in the following categories:	
21	(A) At least one (1) member must hold an Indiana standard	
22	early childhood education license.	
23	(B) At least one (1) member must hold an Indiana teacher's	
24	license in elementary education.	
25	(C) At least one (1) member must hold an Indiana teacher's	
26	license for middle/junior high school education.	
27	(D) At least one (1) member must hold an Indiana teacher's	1
28	license in high school education.	
29	(7) One (1) member must be a member of the business	1
30	community in Indiana but is not required to be actively employed	
31	by a school corporation or to hold an Indiana teacher's license.	
32	(c) Each member described in subsection (b)(6) must be licensed	
33	and actively employed as a practicing teacher in at least one (1) of the	
34	following areas to be appointed:	
35	(1) At least one (1) member must be licensed in special education.	
36	(2) At least one (1) member must be licensed in vocational	
37	education.	
38	(3) At least one (1) member must be employed and licensed in	
39	student services, which may include school librarians or	
40	psychometric evaluators.	
41	(4) At least one (1) member must be licensed in social science	
42	education.	



1	(5) At least one (1) member must be licensed in fine arts
2	education.
3	(6) At least one (1) member must be licensed in English or
4	language arts education.
5	(7) At least one (1) member must be licensed in mathematics
6	education.
7	(8) At least one (1) member must be licensed in science
8	education.
9	(d) At least one (1) member described in subsection (b) must be a
.0	parent of a student enrolled in a public preschool or public school
1	within a school corporation in either kindergarten or any of grades 1
2	through 12.
.3	(e) The state superintendent shall serve as an ex officio voting
4	member of the advisory board. The state superintendent may make
.5	recommendations to the governor as to the appointment of members on
6	the advisory board.
7	SECTION 69. IC 20-28-2-3, AS ADDED BY HEA 1288-2005,
. 8	SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
9	JULY 1, 2005]: Sec. 3. The term of office for the appointed members
20	of the advisory board is four (4) years.
21	SECTION 70. IC 20-28-2-4, AS ADDED BY HEA 1288-2005,
22	SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
23	JULY 1, 2005]: Sec. 4. The superintendent shall appoint the
24	chairperson director of the advisory board, shall be elected by a
25	majority of the members of the board who shall be known as the
26	secretary of professional standards, from among the members of the
27	advisory board for a term of one (1) year. A member may be reelected
28	reappointed to serve as a chairperson director for subsequent terms.
29	SECTION 71. IC 20-28-2-5, AS ADDED BY HEA 1288-2005,
30	SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
31	JULY 1, 2005]: (a) Each member of the advisory board who is not a
32	state employee is not entitled to the minimum salary per diem provided
33	by IC 4-10-11-2.1(b). The member is, however, entitled to
4	reimbursement for traveling expenses and other expenses actually
55	incurred in connection with the member's duties, as provided in the
66	state travel policies and procedures established by the Indiana
37	department of administration and approved by the budget agency.
8	(b) Each member of the advisory board who is a state employee is
19	entitled to reimbursement for traveling expenses and other expenses
10	actually incurred in connection with the member's duties, as provided
1	in the state travel policies and procedures established by the Indiana

department of administration and approved by the budget agency.



1	SECTION 72. IC 20-28-2-6, AS ADDED BY HEA 1288-2005,
2	SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3	JULY 1, 2005]: Sec. 6. (a) Subject to subsection (c) and in addition
4	to the powers and duties set forth in IC 20-20-22 or this article, the
5	advisory board shall may adopt rules under IC 4-22-2 to do the
6	following:
7	(1) Set standards for teacher licensing and administer for the
8	administration of a professional licensing and certification
9	process by the department.
10	(2) Approve or disapprove teacher preparation programs.
11	(3) Set fees to be charged in connection with teacher licensing.
12	(4) Suspend, revoke, or reinstate teacher licenses.
13	(5) Enter into agreements with other states to acquire reciprocal
14	approval of teacher preparation programs.
15	(6) Set standards for teacher licensing concerning new subjects of
16	study.
17	(7) Evaluate work experience and military service concerning
18	higher education and experience equivalency.
19	(8) Perform any other action that:
20	(A) relates to the improvement of instruction in the public
21	schools through teacher education and professional
22	development through continuing education; and
23	(B) attracts qualified candidates for teacher training education
24	from among the high school graduates of Indiana.
25	(9) Set standards for endorsement of school psychologists as
26	independent practice school psychologists under IC 20-28-12.
27	(b) Notwithstanding subsection (a)(1), an individual is entitled to
28	one (1) year of occupational experience for purposes of obtaining an
29	occupational specialist certificate under this article for each year the
30	individual holds a license under IC 25-8-6.
31	(c) Before publishing notice of the intent to adopt a rule under
32	IC 4-22-2, the advisory board must submit the proposed rule to the
33	state superintendent for approval. If the state superintendent
34	approves the rule, the advisory board may publish notice of the
35	intent to adopt the rule. If the state superintendent does not
36	approve the rule, the advisory board may not publish notice of the
37	intent to adopt the rule.
38	SECTION 73. IC 20-28-2-7, AS ADDED BY HEA 1288-2005,
39	SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
40	JULY 1, 2005]: (a) The board department may recommend to the

general assembly for consideration measures relating to the board's department's powers and duties that improve the quality of teacher



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1	preparation or teacher licensing standards.
2	(b) The board department shall submit to the general assembly
3	before November 1 of each year a report:
4	(1) detailing the findings and activities of the department, the
5	division, and the advisory board; and
6	(2) including any recommendations developed by the board.
7	under this chapter.
8	A report under this subsection must in an electronic format under
9	IC 5-14-6.
10	SECTION 74. IC 20-28-2-8, AS ADDED BY HEA 1288-2005,
11	SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
12	JULY 1, 2005]: (a) The board department may, subject to approval by
13	the budget agency, do the following to administer the responsibilities
14	of the department described in section 2 of this chapter:
15	(1) Establish advisory committees the board department
16	determines necessary.
17	(2) Expend funds made available to the board department
18	according to policies established by the budget agency.
19	(b) The board department shall comply with the requirements for
20	submitting a budget request to the budget agency as set forth in
21	IC 4-12-1, for funds to administer the responsibilities of the
22	department described in section 2 of this chapter.
23	SECTION 75. IC 20-28-2-9, AS ADDED BY HEA 1288-2005,
24	SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
25	JULY 1, 2005]: Sec. 9. IC 4-21.5 applies to orders issued by the board.
26	department under this chapter.
27	SECTION 76. IC 20-28-2-10 IS ADDED TO THE INDIANA
28	CODE AS A NEW SECTION TO READ AS FOLLOWS
29	[EFFECTIVE JULY 1, 2005]: Sec. 10. There is established the
30	professional standards fund to be administered by the department.
31	The fund consists of fees collected under this chapter. Money in the
32	fund does not revert to the state general fund at the end of a state
33	fiscal year.
34	SECTION 77. IC 20-28-3-1, AS ADDED BY HEA 1288-2005,
35	SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
36	JULY 1, 2005]: Sec. 1. (a) The board department shall:
37	(1) arrange a statewide system of professional instruction for
38	teacher training; education;
39	(2) accredit and inspect teacher training education schools and
40	departments that comply with the rules of the board; department;
41	(3) recommend and approve courses for the training education of
42	particular kinds of teachers in accredited schools and



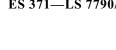
1	departments; and
2	(4) specify the types of licenses for graduates of approved
3	courses.
4	(b) The department shall work with teacher education schools
5	and departments to develop a system of teacher education that
6	ensures individuals who graduate from the schools and
7	departments are able to meet the highest professional standards.
8	SECTION 78. IC 20-28-3-2, AS ADDED BY HEA 1288-2005,
9	SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
10	JULY 1, 2005]: Sec. 2. (a) An accredited school or department may use
11	the word "accredited" in advertising approved courses and the types of
12	teachers the school or department is accredited to prepare. An
13	accredited school or department may enter into the student teaching
14	agreements specified in IC 20-26-5.
15	(b) The board department shall revoke the right to use the word
16	"accredited" when an accredited school or department refuses to abide
17	by the advisory board's rules.
18	SECTION 79. IC 20-28-3-3, AS ADDED BY HEA 1288-2005,
19	SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
20	JULY 1, 2005]: Sec. 3. (a) The board, in consultation with the
21	department, shall develop guidelines for use by accredited teacher
22	training education institutions and departments in preparing
23	individuals to teach in various environments.
24	(b) The guidelines developed under subsection (a) must include
25	courses and methods that assist individuals in developing cultural
26	competency (as defined in IC 20-31-2-5).
27	SECTION 80. IC 20-28-4-3, AS ADDED BY HEA 1288-2005,
28	SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
29	JULY 1, 2005]: Sec. 3. Subject to the requirements of this chapter, the
30	board department shall develop and administer the program. The
31	board department shall determine the details of the program that are
32	not included in this chapter.
33	SECTION 81. IC 20-28-4-4, AS ADDED BY HEA 1288-2005,
34	SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
35	JULY 1, 2005]: Sec. 4. Each accredited teacher training education
36	school and department in Indiana shall establish a course of study that
37	constitutes the higher education component of the program. The higher
38	education component required under this section must comply with the
39	following requirements:
40	(1) Include the following study requirements:
41	(A) For a program participant who seeks to obtain a license to
42	teach in grades 6 through 12, up to eighteen (18) credit hours



1	of study or the equivalent that prepare a program participant
2	to meet Indiana standards for teaching in the subject areas
3	corresponding to the area in which the program participant has
4	met the education requirements under section 5 of this chapter,
5	unless the program participant demonstrates that the program
6	participant requires fewer credit hours of study to meet Indiana
7	standards for teaching.
8	(B) For a program participant who seeks to obtain a license to
9	teach in kindergarten through grade 5, twenty-four (24) credit
10	hours of study or the equivalent, which must include at least
11	six (6) credit hours in teaching reading, that prepare a program
12	participant to meet Indiana standards for teaching, unless the
13	program participant demonstrates that the program participant
14	requires fewer credit hours of study to meet Indiana standards
15	for teaching.
16	(2) Focus on the communication of knowledge to students.
17	(3) Include suitable field or classroom experiences if the program
18	participant does not have teaching experience.
19	SECTION 82. IC 20-28-4-6, AS ADDED BY HEA 1288-2005,
20	SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
21	JULY 1, 2005]: Sec. 6. The board department shall grant an initial
22	standard license to a program participant who does the following:
23	(1) Successfully completes the higher education component of the
24	program.
25	(2) Demonstrates proficiency through a written examination in:
26	(A) basic reading, writing, and mathematics;
27	(B) pedagogy; and
28	(C) knowledge of the areas in which the program participant
29	is required to have a license to teach;
30	under IC 20-28-5-12(b).
31	(3) Participates successfully in a beginning teacher internship
32	program under IC 20-6.1-8 (repealed) that includes
33	implementation in a classroom of the teaching skills learned in the
34	higher education component of the program.
35	(4) Receives a successful assessment of teaching skills upon
36	completion of the beginning teacher internship program under
37	subdivision (3) from the administrator of the school where the
38	beginning teacher internship program takes place, or, if the
39	program participant does not receive a successful assessment,
40	participates continues participating in the beginning teacher
41	internship program. for a second year as provided under

IC 20-6.1-8-13 (repealed). The appeals provisions of





1	IC 20-6.1-8-14 (repealed) apply to an assessment under this
2	subdivision.
3	SECTION 83. IC 20-28-4-7, AS ADDED BY HEA 1288-2005,
4	SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5	JULY 1, 2005]: Sec. 7. This section applies to a program participant
6	who has a degree described in section 5 of this chapter that does not
7	include all the content areas of a standard license issued by the board.
8	department. The board department shall issue an initial standard
9	license that is restricted to only the content areas in which the program
10	participant has a degree unless the program participant demonstrates
11	sufficient knowledge in other content areas of the license.
12	SECTION 84. IC 20-28-4-10, AS ADDED BY HEA 1288-2005,
13	SECTION12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
14	JULY 1, 2005]: Sec. 10. (a) The advisory board may adopt rules under
15	IC 4-22-2 to administer this chapter.
16	(b) Rules adopted under this section must include a requirement that
17	accredited teacher training education schools and departments in
18	Indiana submit an annual report to the board department of the
19	number of individuals who:
20	(1) enroll in; and
21	(2) complete;
22	the program.
23	SECTION 85. IC 20-28-5-1, AS ADDED BY HEA 1288-2005,
24	SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
25	JULY 1, 2005]: Sec. 1. The board department is responsible for the
26	licensing of teachers.
27	SECTION 86. IC 20-28-5-2, AS ADDED BY HEA 1288-2005,
28	SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
29	JULY 1, 2005]: Sec. 2. The advisory board may adopt rules for:
30	(1) the issuance of a substitute teacher's license; and
31	(2) the employment of substitute teacher licensees.
32	An individual may not serve as a substitute teacher without a license
33	issued by the board. department.
34	SECTION 87. IC 20-28-5-3, AS ADDED BY HEA 1288-2005,
35	SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
36	JULY 1, 2005]: Sec. 3. (a) The board department shall designate:
37	(1) the grade point average required for each type of license; and
38	(2) the types of licenses to which the teachers' minimum salary
39	laws apply, including nonrenewable one (1) year limited licenses.
40	(b) The board department shall determine details of licensing not
41	provided in this chapter, including requirements regarding the



following:

1	(1) The conversion of one (1) type of license into another.	
2	(2) The accreditation of teacher training education schools and	
3	departments.	
4	(3) The exchange and renewal of licenses.	
5	(4) The endorsement of another state's license.	
6	(5) The acceptance of credentials from teacher training education	
7	institutions of another state.	
8	(6) The academic and professional preparation for each type of	
9	license.	
10	(7) The granting of permission to teach a high school subject area	
11	related to the subject area for which the teacher holds a license.	
12	(8) The issuance of licenses on credentials.	
13	(9) The type of license required for each school position.	
14	(10) The size requirements for an elementary school requiring a	
15	licensed principal.	
16	(11) Any other related matters.	
17	The board department shall establish at least one (1) system for	
18	renewing a teaching license that does not require a graduate degree.	
19	(c) The board department shall periodically publish bulletins	
20	regarding:	
21	(1) the details described in subsection (b);	
22	(2) information on the types of licenses issued;	U
23	(3) the rules governing the issuance of each type of license; and	
24	(4) other similar matters.	
25	SECTION 88. IC 20-28-5-3.5 IS ADDED TO THE INDIANA	
26	CODE AS A NEW SECTION TO READ AS FOLLOWS	
27	[EFFECTIVE JULY 1, 2005]: Sec. 3.5. Beginning July 1, 2005, the	M
28	department, before issuing an initial teaching license at any grade	
29	level to an undergraduate applicant for an initial teaching license,	
30	shall require the applicant to show evidence that the applicant	
31	meets one (1) of the following criteria:	
32	(1) Has successfully completed a course approved by the	
33	board in:	
34	(A) cardiopulmonary resuscitation that includes a test	
35 36	demonstration on a mannequin; (B) removing a foreign body causing an obstruction in an	
37	airway; and	
38	(C) the Heimlich maneuver.	
39	(2) Holds a valid certification in the procedures described in	
40	subdivision (1) issued by:	
41	(A) the American Red Cross;	
42	(B) the American Heart Association; or	
-	(2)	



1	(C) a comparable organization or institution approved by
2	the board.
3	(3) Has physical limitations that make it impracticable for the
4	applicant to complete the course and certification required
5	under subdivisions (1) and (2).
6	SECTION 89. IC 20-28-5-7, AS ADDED BY HEA 1288-2005,
7	SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
8	JULY 1, 2005]: Sec. 7. On the written recommendation of the state
9	superintendent, the board department may suspend or revoke a license
0	for:
1	(1) immorality;
2	(2) misconduct in office;
3	(3) incompetency; or
4	(4) willful neglect of duty.
5	For each suspension or revocation, the board department shall comply
6	with IC 4-21.5-3.
7	SECTION 90. IC 20-28-5-8, AS ADDED BY HEA 1288-2005,
8	SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
9	JULY 1, 2005]: Sec. 8. (a) This section applies when a prosecuting
20	attorney knows that a licensed employee of a public school or a
21	nonpublic school has been convicted of an offense listed in subsection
22	(c). The prosecuting attorney shall immediately give written notice of
23	the conviction to the following:
24	(1) The state superintendent.
25	(2) Except as provided in subdivision (3), the superintendent of
26	the school corporation that employs the licensed employee or the
27	equivalent authority if a nonpublic school employs the licensed
28	employee.
29	(3) The presiding officer of the governing body of the school
30	corporation that employs the licensed employee, if the convicted
31	licensed employee is the superintendent of the school corporation.
32	(b) The superintendent of a school corporation, presiding officer of
33	the governing body, or equivalent authority for a nonpublic school shall
34	immediately notify the state superintendent when the individual knows
35	that a current or former licensed employee of the public school or
36	nonpublic school has been convicted of an offense listed in subsection
37	(c).
38	(c) The board, department, after holding a hearing on the matter,
39	shall permanently revoke the license of a person who is known by the
40 4.1	board department to have been convicted of any of the following
11	felonies:

(1) Kidnapping (IC 35-42-3-2), if the victim is less than eighteen



1	(18) years of age.	
2	(2) Criminal confinement (IC 35-42-3-3), if the victim is less than	
3	eighteen (18) years of age.	
4	(3) Rape (IC 35-42-4-1), if the victim is less than eighteen (18)	
5	years of age.	
6	(4) Criminal deviate conduct (IC 35-42-4-2), if the victim is less	
7	than eighteen (18) years of age.	
8	(5) Child molesting (IC 35-42-4-3).	
9	(6) Child exploitation (IC 35-42-4-4(b)).	,
10	(7) Vicarious sexual gratification (IC 35-42-4-5).	4
11	(8) Child solicitation (IC 35-42-4-6).	
12	(9) Child seduction (IC 35-42-4-7).	
13	(10) Sexual misconduct with a minor (IC 35-42-4-9).	
14	(11) Incest (IC 35-46-1-3), if the victim is less than eighteen (18)	
15	years of age.	
16	(12) Dealing in or manufacturing cocaine, a narcotic drug, or	4
17	methamphetamine (IC 35-48-4-1).	
18	(13) Dealing in a schedule I, II, or III controlled substance	
19	(IC 35-48-4-2).	
20	(14) Dealing in a schedule IV controlled substance	
21	(IC 35-48-4-3).	
22	(15) Dealing in a schedule V controlled substance (IC 35-48-4-4).	
23	(16) Dealing in a counterfeit substance (IC 35-48-4-5).	
24	(17) Dealing in marijuana, hash oil, or hashish	
25	(IC 35-48-4-10(b)).	
26	(d) A license may be suspended by the state superintendent as	
27	specified in IC 20-28-7-7.	
28	SECTION 91. IC 20-28-5-9, AS ADDED BY HEA 1288-2005,	1
29	SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE	
30	JULY 1, 2005]: Sec. 9. (a) An applicant must do the following:	
31	(1) Submit a request to the Indiana central repository for limited	
32	criminal history information under IC 10-13-3.	
33	(2) Obtain a copy of the limited criminal history for the applicant	
34	from the repository's records.	
35	(3) Submit to the board department the limited criminal history	
36	for the applicant.	
37	(4) Submit to the board department a document verifying a	
38	disposition that does not appear on the limited criminal history for	
39	the applicant.	
40	(b) The board department may deny the issuance of a license or	
41	certificate to an applicant who is convicted of an offense for which the	
42	individual's license may be revoked or suspended under this chapter.	



1	(c) The board department must use the information obtained under
2	this section in accordance with IC 10-13-3-29.
3	(d) An applicant is responsible for all costs associated with meeting
4	the requirements of this section.
5	SECTION 92. IC 20-28-5-10, AS ADDED BY HEA 1288-2005,
6	SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
7	JULY 1, 2005]: Sec. 10. (a) The board department shall keep a record
8	of:
9	(1) all licenses issued;
10	(2) all licenses in force; and
11	(3) the academic preparation, professional preparation, and
12	teaching experience of each applicant for a license or a license
13	renewal.
14	(b) A superintendent of a school corporation shall register and keep
15	a record of the following for each licensed teacher employed by the
16	school corporation:
17	(1) The type of license held by the teacher.
18	(2) The teacher's date of first employment.
19	(3) The teacher's annual or monthly salary.
20	SECTION 93. IC 20-28-5-11, AS ADDED BY HEA 1288-2005,
21	SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
22	JULY 1, 2005]: Sec. 11. (a) This section does not apply to an
23	individual who, on September 1, 1985, has earned more than the
24	equivalent of twelve (12) semester hours of graduate credit.
25	(b) The board department may not renew the junior high/middle
26	school or secondary education license of a teacher on the basis of the
27	teacher obtaining a graduate degree unless the teacher completes at
28	least the equivalent of eighteen (18) semester hours beyond the
29	teacher's undergraduate degree in any combination of courses in the
30	teacher's major, minor, primary, supporting, or endorsement areas. The
31	semester hours may include graduate hours or undergraduate hours, or
32	both, as determined by the board.
33	(c) The advisory board may:
34	(1) adopt rules under IC 4-22-2 to create exceptions to the
35	requirements under subsection (b); and
36	(2) waive the requirements under subsection (b) on an individual
37	basis.
38	SECTION 94. IC 20-28-5-12, AS ADDED BY HEA 1288-2005,
39	SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
40	JULY 1, 2005]: Sec. 12. (a) Subsection (b) does not apply to an
41	individual who held an Indiana limited, reciprocal, or standard teaching



license on June 30, 1985.

1	(b) The board department may not grant an initial standard license
2	to an individual unless the individual has demonstrated proficiency in
3	the following areas on a written examination or through other
4	procedures prescribed by the board: department:
5	(1) Basic reading, writing, and mathematics.
6	(2) Pedagogy.
7	(3) Knowledge of the areas in which the individual is required to
8	have a license to teach.
9	(4) If the individual is seeking to be licensed as an elementary
10	school teacher, comprehensive reading instruction skills,
11	including:
12	(A) phonemic awareness; and
13	(B) phonics instruction.
14	(c) Each individual who completes a written examination
15	described in subsection (b) must receive the following from the
16	examination's scorer:
17	(1) The individual's total test score.
18	(2) Subscores for each area tested.
19	(3) Itemized descriptions of the areas in which the individual
20	was found to be deficient.
21	(d) This subsection applies to an individual who has attempted
22	the written examination described in subsection (b) at least two (2)
23	times and has failed to demonstrate proficiency in a test area by
24	not more than two (2) points. An individual to whom this
25	subsection applies may demonstrate proficiency in a test area
26	described in this subsection by having the teacher education school
27	or department in which the individual is a student certify to the
28	department that, based upon the individual's coursework, grades,
29	fieldwork, and student teaching, and evaluations by the
30	individual's instructors, the individual possesses the content
31	knowledge assessed in the written examination.
32	(c) (e) An individual's license examination score may not be
33	disclosed by the board department without the individual's consent
34	unless specifically required by state or federal statute or court order.
35	(d) (f) The advisory board shall adopt rules under IC 4-22-2 to do
36	the following:
37	(1) Adopt, validate, and implement the examination or other
38	procedures required by subsection (b).
39	(2) Establish examination scores indicating proficiency.
40	(3) Otherwise carry out the purposes of this section.
41	(e) (g) The board shall adopt rules under IC 4-22-2 establishing the

conditions under which the requirements of this section may be waived



1	for individuals an individual holding a valid teachers! licenses
2	teacher's license issued by another state.
3	SECTION 95. IC 20-28-5-14, AS ADDED BY HEA 1288-2005,
4	SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5	JULY 1, 2005]: Sec. 14. If the board department is notified by the
6	department of state revenue that an individual is on the most recent tax
7	warrant list, the board department may not grant an initial standard
8	license to the individual until:
9	(1) the individual provides the board department with a
10	statement from the department of state revenue indicating that the
11	individual's delinquent tax liability has been satisfied; or
12	(2) the board department receives a notice from the
13	commissioner of the department of state revenue under
14	IC 6-8.1-8-2(k).
15	SECTION 96. IC 20-28-9-1, AS ADDED BY HEA 1288-2005,
16	SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
17	JULY 1, 2005]: Sec. 1. (a) A teacher's minimum salary each school
18	year must be computed based on the teacher's training, education,
19	experience, and degree completed as of the teacher's first day of
20	service.
21	(b) If a teacher is licensed by the board department on:
22	(1) the first day of service in the current school year; or
23	(2) another date as agreed by the school employer and the
24	exclusive representative under IC 20-29;
25	the teacher's minimum salary is computed under section 2 of this
26	chapter.
27	SECTION 97. IC 20-28-9-2, AS ADDED BY HEA 1288-2005,
28	SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
29	JULY 1, 2005]: Sec. 2. A teacher's minimum salary for service during
30	a nine (9) month school term is computed as follows:
31	(1) For a teacher who has completed four (4) years or one hundred
32	forty-four (144) weeks of professional training, education, five
33	thousand two hundred dollars (\$5,200), plus:
34	(A) an additional increment of one hundred fifty dollars (\$150)
35	after each of the first ten (10) years of experience; and
36	(B) an additional increment of two hundred fifty dollars (\$250)
37	after each of the following years of experience:
38	(i) The fifteenth.
39	(ii) The twentieth.
40	(2) For a teacher who has completed five (5) years or one hundred
41	eighty (180) weeks of professional training, education, five
12	thousand five hundred dollars (\$5,500), plus:



1	(A) an additional increment of one hundred fifty dollars (\$150)	
2	after each of the first eighteen (18) years of experience; and	
3	(B) an additional increment of three hundred dollars (\$300)	
4	after each of the following years of experience:	
5	(i) The nineteenth.	
6	(ii) The twentieth.	
7	(iii) The twenty-second.	
8	(iv)The twenty-fourth.	
9	(v)The twenty-sixth.	
10	(vi) The thirtieth.	
11	(3) For a teacher who has completed less than four (4) years of	
12	professional training, education, four thousand seven hundred	
13	dollars (\$4,700), plus an additional increment of one hundred	
14	twenty dollars (\$120) after each of the first ten (10) years of	
15	experience.	
16	SECTION 98. IC 20-28-9-4, AS ADDED BY HEA 1288-2005,	
17	SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE	
18	JULY 1, 2005]: Sec. 4. (a) The board department shall require each	
19	teacher to hold:	
20	(1) a bachelor's degree from an accredited teacher training	
21	education institution to qualify for the first time for classification	
22	under section 2(1) of this chapter; and	
23	(2) a master's degree to qualify for the first time for classification	
24	under section 2(2) of this chapter.	_
25	(b) A teacher may not receive credit for five (5) years of training	
26	education under section 2(2) of this chapter unless the teacher has	
27	completed at least a bachelor's degree.	
28	SECTION 99. IC 20-28-9-7, AS ADDED BY HEA 1288-2005,	
29	SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE	
30	JULY 1, 2005]: Sec. 7. (a) An individual who:	
31	(1) holds:	
32	(A) a professional license;	
33	(B) a provisional license;	
34	(C) a limited license; or	
35	(D) an equivalent license issued by the board; department;	
36	and	
37	(2) serves as an occasional substitute teacher;	
38	shall be compensated on the pay schedule for substitutes of the school	
39	corporation the individual serves.	
40	(b) An individual who:	
41	(1) holds a:	
42.	(A) professional license: or	



1	(B) provisional license; and	
2	(2) serves as a substitute teacher in the same teaching position for	
3	more than fifteen (15) consecutive school days;	
4	shall be compensated on the regular pay schedule for teachers of the	
5	school corporation the individual serves.	
6	SECTION 100. IC 20-28-12-3, AS ADDED BY HEA 1288-2005,	
7	SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE	
8	JULY 1, 2005]: Sec. 3. An individual who applies for an endorsement	
9	as an independent practice school psychologist must meet the following	
10	requirements:	
11	(1) Be licensed as a school psychologist by the board.	
12	department.	
13	(2) Be employed by a:	
14	(A) developmental center;	
15	(B) state hospital;	
16	(C) public or private hospital;	
17	(D) mental health center;	
18	(E) rehabilitation center;	
19	(F) private school; or	
20	(G) public school;	
21	at least thirty (30) hours per week during the contract period	
22	unless the individual is retired from full-time or part-time	
23	employment as a school psychologist or the individual has a	
24	medical condition or physical disability that restricts the mobility	_
25	required for employment in a school setting.	
26	(3) Furnish satisfactory evidence to the board department that	
27	the applicant has received at least a sixty (60) semester hour	
28	master's or specialist degree in school psychology from:	V
29	(A) a recognized institution of higher learning; or	
30	(B) an educational institution not located in the United States	
31	that has a program of study that meets the standards of the	
32	board. department.	
33	(4) Furnish satisfactory evidence to the board department that	
34	the applicant has demonstrated graduate level competency	
35	through the successful completion of course work and a practicum	
36	in the areas of assessment and counseling.	
37	(5) Furnish satisfactory evidence to the board department that	
38	the applicant has at least one thousand two hundred (1,200) hours	
39	of school psychology experience beyond the master's degree level.	
40	At least six hundred (600) hours must be in a school setting under	
41	the supervision of any of the following:	
42	(A) A physician licensed under IC 25-22.5.	



1	(B) A psychologist licensed under IC 25-33.	
2	(C) A school psychologist endorsed under this chapter.	
3	(6) Furnish satisfactory evidence to the board department that	
4	the applicant has completed, in addition to the requirements in	
5	subdivision (5), at least four hundred (400) hours of supervised	
6	experience in identification and referral of mental and behavioral	
7	disorders, including at least one (1) hour each week of direct	
8	personal supervision by a:	
9	(A) physician licensed under IC 25-22.5;	
10	(B) psychologist licensed under IC 25-33; or	4
11	(C) school psychologist endorsed under this chapter;	
12	with at least ten (10) hours of direct personal supervision.	
13	(7) Furnish satisfactory evidence to the board department that	
14	the applicant has completed, in addition to the requirements of	
15	subdivisions (5) and (6), fifty-two (52) hours of supervision with	
16	a physician licensed under IC 25-22.5, a psychologist licensed	4
17	under IC 25-33, or a school psychologist endorsed under this	
18	chapter that meets the following requirements:	
19	(A) The fifty-two (52) hours must be completed within at least	
20	twenty-four (24) consecutive months but not less than twelve	
21	(12) months.	
22	(B) Not more than one (1) hour of supervision may be	
23	included in the total for each week.	
24	(C) At least nine hundred (900) hours of direct client contact	
25	must take place during the total period under clause (A).	
26	(8) Furnish satisfactory evidence to the board department that	
27	the applicant does not have a conviction for a crime that has a	
28	direct bearing on the applicant's ability to practice competently.	\
29	(9) Furnish satisfactory evidence to the board department that	
30	the applicant has not been the subject of a disciplinary action by	
31	a licensing or certification agency of any jurisdiction on the	
32	grounds that the applicant was not able to practice as a school	
33	psychologist without endangering the public.	
34	(10) Pass the examination provided by the board. department.	
35	SECTION 101. IC 20-30-5-6, AS ADDED BY HEA 1288-2005,	
36	SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE	
37	JULY 1, 2005]: Sec. 6. (a) This section applies only to public schools.	
38	(b) As used in this section, "good citizenship instruction" means	
39	integrating instruction into the current curriculum that stresses the	
40	nature and importance of the following:	
41	(1) Being honest and truthful.	
12	(2) Respecting authority.	



1	(3) Respecting the property of others.
2	(4) Always doing the student's personal best.
3	(5) Not stealing.
4	(6) Possessing the skills (including methods of conflict resolution)
5	necessary to live peaceably in society and not resorting to
6	violence to settle disputes.
7	(7) Taking personal responsibility for obligations to family and
8	community.
9	(8) Taking personal responsibility for earning a livelihood.
10	(9) Treating others the way the student would want to be treated.
11	(10) Respecting the national flag, the Constitution of the United
12	States, and the Constitution of the State of Indiana.
13	(11) Respecting the student's parents and home.
14	(12) Respecting the student's self.
15	(13) Respecting the rights of others to have their own views and
16	religious beliefs.
17	(c) The department shall:
18	(1) identify; and
19	(2) make available;
20	models of conflict resolution instruction to school corporations. The
21	instruction may consist of a teacher training education program that
22	applies the techniques to the students in the classroom to assist school
23	corporations in complying with this section.
24	SECTION 102. IC 20-30-5-14, AS ADDED BY HEA 1288-2005,
25	SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
26	JULY 1, 2005]: Sec. 14. (a) To:
27	(1) educate students on the importance of their future career
28	choices;
29	(2) prepare students for the realities inherent in the work
30	environment; and
31	(3) instill in students work values that will enable them to succeed
32	in their respective careers;
33	each school within a school corporation shall include in the school's
34	curriculum for all students in grades 1 through 12 instruction
35	concerning employment matters and work values.
36	(b) Each school shall:
37	(1) integrate within the curriculum instruction that is; or
38	(2) conduct activities or special events periodically that are;
39	designed to foster overall career awareness and career development as
40	described in subsection (a).
41	(c) The department shall develop career awareness and career
42	development models as described in subsection (d) to assist schools in



1	complying with this section.
2	(d) The models described in this subsection must be developed in
3	accordance with the following:
4	(1) For grades 1 through 5, career awareness models to introduce
5	students to work values and basic employment concepts.
6	(2) For grades 6 through 8, initial career information models that
7	focus on career choices as they relate to student interest and skills.
8	(3) For grades 9 through 10, career exploration models that offer
9	students insight into future employment options.
10	(4) For grades 11 through 12, career preparation models that
11	provide job or further education counseling, including the
12	following:
13	(A) Initial job counseling, including the use of job service
14	officers to provide school based assessment, information, and
15	guidance on employment options and the rights of students as
16	employees.
17	(B) Workplace orientation visits.
18	(C) On-the-job experience exercises.
19	(e) The department, with assistance from the department of labor
20	and the department of workforce development, shall:
21	(1) develop and make available teacher guides; and
22	(2) conduct seminars or other teacher training education
23	activities;
24	to assist teachers in providing the instruction described in this section.
25	(f) The department shall, with assistance from the department of
26	workforce development, design and implement innovative career
27	preparation demonstration projects for students in at least grade 9.
28	SECTION 103. IC 20-30-7-8, AS ADDED BY HEA 1288-2005,
29	SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
30	JULY 1, 2005]: Sec. 8. Except as provided in section 9 of this chapter,
31	an instructor for an educational program described in section 7 of this
32	chapter must be:
33	(1) licensed under IC 20-28; or
34	(2) granted a substitute teacher's license by the professional
35	standards board. department.
36	SECTION 104. IC 20-30-7-9, AS ADDED BY HEA 1288-2005,
37	SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
38	JULY 1, 2005]: Sec. 9. If the superintendent of the school corporation
39	that is the local education agency determines that:
40	(1) a qualified licensed teacher is not available from the entities
41	entering into an agreement under section 5 of this chapter; and
42	(2) a qualified postsecondary instructor is available;



to instruct in an educational program described in section 7 of this chapter, the superintendent may request the professional standards board department to issue a substitute teacher's license to the instructor of an educational program described in section 7 of this chapter.

SECTION 105. IC 20-30-7-10, AS ADDED BY HEA 1288-2005, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 10. If the professional standards board department finds that a qualified licensed teacher is not available from the entities entering into an agreement under section 5 of this chapter to instruct in an educational program described in section 7 of this chapter, the professional standards board department may issue a substitute teacher's license to the instructor of an educational program described in section 7 of this chapter.

SECTION 106. IC 20-31-6-1, AS ADDED BY HEA 1288-2005, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1. The department in consultation with the professional standards board, shall develop and make available to school corporations and nonpublic schools materials that assist teachers, administrators, and staff in a school in developing cultural competency for use in providing professional and staff development programs.

SECTION 107. IC 20-32-5-1, AS ADDED BY HEA 1288-2005, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1. The purposes of the ISTEP program developed under this chapter are as follows:

- (1) To assess the strengths and weaknesses of school performance.
- (2) To assess the effects of state and local educational programs.
- (3) To compare achievement of Indiana students to achievement of students on a national basis.
- (4) To provide a source of information for state and local decision makers with regard to educational matters, including the following:
 - (A) The overall academic progress of students.
 - (B) The need for new or revised educational programs.
 - (C) The need to terminate existing educational programs.
 - (D) Student readiness for postsecondary school experiences.
 - (E) Overall curriculum development and revision activities.
 - (F) Identifying students who may need remediation under IC 20-32-8.
- (G) Diagnosing individual student needs.







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1	(H) Teacher training education and staff development	
2	activities.	
3	SECTION 108. IC 20-32-5-4, AS ADDED BY HEA 1288-2005,	
4	SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE	
5	JULY 1, 2005]: Sec. 4. (a) The state board shall:	
6	(1) authorize the development and implementation of the ISTEP	
7	program; and	
8	(2) determine the date, which for school years beginning after	
9	June 30, 2006, must be during the first two (2) weeks that end	
10	in May of the school year, on which the statewide testing is	
11	administered in each school corporation.	
12	(b) The state superintendent is responsible for the overall	
13	development, implementation, and monitoring of the ISTEP program.	
14	(c) The department shall prepare detailed design specifications for	
15	the ISTEP program that must do the following:	
16	(1) Take into account the academic standards adopted under	
17	IC 20-31-3.	
18	(2) Include testing of students' higher level cognitive thinking in	
19	each subject area tested.	
20	(3) Provide for a pilot test for reliability and validation to be	
21	given during the first two (2) weeks that end in May 2006, and	
22	for the following schedule concerning the administration,	
23	scoring, and reporting of results, for school years beginning	
24	after June 30, 2006:	_
25	(A) Test administration conducted during the first two (2)	
26	weeks that end in May.	_
27	(B) Test scoring completed before June 16.	
28	(C) Test results reported to teachers and parents before	
29	July 1.	
30	(D) Yearly progress reported to parents and the federal	
31	government before July 16.	
32	SECTION 109. IC 20-32-5-4.5 IS ADDED TO THE INDIANA	
33	CODE AS A NEW SECTION TO READ AS FOLLOWS	
34	[EFFECTIVE UPON PASSAGE]: Sec. 4.5. (a) Before August 2, 2005,	
35	the department shall develop a ten (10) year plan for student	
36	diagnostic and summative achievement assessment that must	
37	include a system that:	
38	(1) has as its purposes to:	
39 10	(A) provide teachers with diagnostic assessment tools during the school year to determine whether each student	
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+1 12	is learning below, at, or above the academic standards for	



1	instruction accordingly;
2	(B) annually assess the progress of each student under the
3	academic standards toward the knowledge and skills
4	necessary for success in postsecondary education,
5	workplace education, and lifelong learning; and
6	(C) confirm before graduation that each student has the
7	knowledge and skills necessary for success in
8	postsecondary education, workplace education, and
9	lifelong learning.
10	(2) uses:
11	(A) a diagnostic assessment tool for language arts
12	(including English), mathematics, science, and social
13	studies in kindergarten through at least grade 8 to support
14	on-line, intra-year diagnostic assessments of individual or
15	collective students by teachers to assist efforts to accelerate
16	learning by students performing below expectations and
17	support further learning by students performing at or
18	above expectations;
19	(B) annual on-line end of the school year assessments for
20	grades 3 through 8 that assess whether students are
21	proficient in the subject matter of the grades in language
22	arts (including English), mathematics, science, and social
23	studies, as determined by the academic standards
24	applicable to the subjects and grades;
25	(C) on-line end of course assessments in grades 9 through
26	12 that assess whether students are proficient in the
27	subject matter of the courses in language arts (including
28	English), mathematics, science, and social studies, as
29	determined by the academic standards applicable to the
30	subjects and courses;
31	(D) a new graduation examination, effective at least for the
32	students expected to graduate at the end of the school year
33	beginning July 1, 2010, and ending June 30, 2011, that
34	confirms that the student has demonstrated the knowledge
35	and skills necessary for success in postsecondary
36	education, workplace education, and lifelong learning; and
37	(E) a separate written essay examination for each grade
38	that must be reported as a separate part of the assessment
39	results and that must be used independently by teachers
40	and schools to determine whether the student is writing at
41	a level commensurate with the needs and expectations of
42	learning and communicating at that grade level;



(3) uses on-line testing to provide ease of use and timel	y
return of results;	
(4) supports an annual cycle of learning, assessment, an	d

feedback that:

- (A) provides on-line question banks and means for diagnostic assessments for teachers to use during the school year to assess whether students are performing below, at, or above expectations for each subject and grade;
- (B) administers annual student assessments and graduate examinations during the first two (2) weeks that end in May each year;
- (C) reports results to teachers, parents, communities, and the federal government before July 16 each year; and
- (D) provides for a common method and means by which teachers shall grade the independent written essay.
- (b) Before October 1, 2005, the department, the office of management and budget, and the attorney general shall develop specifications and a process for a long term contract with an assessment provider to implement the plan developed under this section. The department shall consult with postsecondary education and workplace employers in the state to ensure that the specifications comply with subsection (a)(1)(C). The department shall consult with superintendents in the state to ensure that the specifications comply with subsection (a)(2)(A). The specifications must comply with this section. The initial specifications must provide for pilot assessments to be given in the period during the first two (2) weeks that end in May 1, 2006, and annual assessments to be given during the first two (2) weeks of May 2007. The process must solicit interest from national and international assessment companies, put out a request for proposals, and solicit proposals for a plan to transition to the assessment system provided for in this section and manage the system, subject to the specifications, until the school year beginning July 1, 2016, and ending June 30, 2017, notwithstanding any other law that limits the maximum term of state contracts. Proposals received shall be reviewed jointly by the department and the office of management and budget, which shall jointly determine the successful bidder, subject to the approval of the attorney general for form and legality of the bid process. The bid process must be completed before January 1, 2006.
 - (c) If a successful bidder is selected, the pilot test contemplated



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1	by section 4(c)(3) of this chapter for the period during the first two
2	(2) weeks that end in May 2006, shall be replaced by the pilot test
3	contemplated by this section.
4	SECTION 110. IC 20-33-2-6, AS ADDED BY HEA 1288-2005,
5	SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
6	JULY 1, 2005]: Sec. 6. (a) A student is bound by the requirements of
7	this chapter from the earlier of the date on which the student officially
8	enrolls in a school or, except as provided in section 8 of this chapter,
9	the beginning of the fall school term for the school year in which the
10	student becomes seven (7) years of age until the date on which the
11	student meets one (1) of the following conditions, whichever occurs
12	first:
13	(1) Graduates.
14	(2) Becomes eighteen (18) years of age. or
15	(3) Becomes sixteen (16) years of age but is less than eighteen
16	(18) years of age and meets the requirements under section 9
17	section 9.5 or 12.5 of this chapter, concerning an exit interview
18	are met enabling the student to withdraw from school before
19	graduation.
20	whichever occurs first.
21	(b) A student who:
22	(1) enrolls in school before the fall school term for the school year
23	in which the student becomes seven (7) years of age; and
24	(2) is withdrawn from school before the school year described in
25	subdivision (1) occurs;
26	is not subject to the requirements of this chapter until the student is
27	reenrolled as required in subsection (a). This chapter shall not be
28	construed to require that a student complete grade 1 before the student
29	becomes eight (8) years of age.
30	SECTION 111. IC 20-33-2-9, AS ADDED BY HEA 1288-2005,
31	SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
32	JULY 1, 2005]: Sec. 9. (a) The governing body of each school
33	corporation shall designate the appropriate employees of the school
34	corporation to conduct the exit interviews for students described in
35	section 6(a)(3) of this chapter. Each exit interview must be personally
36	attended by:
37	(1) the student's parent;
38	(2) the student;
39	(3) each designated appropriate school employee; and



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(4) the student's principal.

(b) A student who is at least sixteen (16) years of age but less than eighteen (18) years of age is bound by the requirements of compulsory

1	school attendance and may not withdraw from school before graduation	
2	unless:	
3	(1) the student, the student's parent, and the principal agree to the	
4	withdrawal; and	
5	(2) at the exit interview, the student provides written	
6	acknowledgment of the withdrawal and the:	
7	(A) student's parent; and	
8	(B) school principal;	
9	each provide written consent for the student to withdraw from	
10	school.	
11	SECTION 112. IC 20-33-2-9.5 IS ADDED TO THE INDIANA	
12	CODE AS A NEW SECTION TO READ AS FOLLOWS	
13	[EFFECTIVE JULY 1, 2005]: Sec. 9.5. (a) This section applies to an	
14	individual:	
15	(1) who:	
16	(A) attends or last attended a public or nonpublic	
17	accredited school;	
18	(B) is at least sixteen (16) years of age but less than	
19	eighteen (18) years of age; and	
20	(C) has not completed the requirements for graduation;	
21	(2) who:	
22	(A) wishes to withdraw from school before graduation;	
23	(B) fails to return at the beginning of a semester; or	
24	(C) stops attending school during a semester; and	
25	(3) who has no record of transfer to another school.	
26	(b) An individual to whom this section applies may withdraw	
27	from school only if all the following conditions are met:	
28	(1) An exit interview is conducted.	V
29	(2) The individual's parent consents to the withdrawal.	
30	(3) The school principal approves of the withdrawal.	
31	(4) The withdrawal is because of financial hardship and the	
32	individual is employed to support the individual's family or	
33	dependents.	
34	(5) The school principal provides to the student and the	
35	student's parent a copy of statistics compiled by the	
36	department concerning the likely consequences of life without	
37	a high school diploma.	
38	(6) The school principal advises the student and the student's	
39	parent that a driver's license or learner's permit may be	
40	revoked and may not be issued to the student upon the	
41	student's withdrawal from school, for a reason other than	
12	financial hardship.	



1	(7) The school principal advises the student and the student's
2	parent that an employment certificate may be revoked and
3	may not be issued to the student upon the student's
4	withdrawal from school, for a reason other than financial
5	hardship.
6	(c) For purposes of this section, the following must be in written
7	form:
8	(1) An individual's request to withdraw from school.
9	(2) A parent's consent to a withdrawal.
10	(3) A principal's consent to a withdrawal.
11	(d) If the individual's principal does not consent to the
12	individual's withdrawal under this section, the individual's parent
13	may appeal the denial of consent to the governing body of the
14	public or nonpublic accredited school that the individual last
15	attended.
16	(e) Each public school, including each school corporation and
17	each charter school (as defined in IC 20-24-1-4), and each
18	nonpublic accredited school shall provide an annual report to the
19	department setting forth the following information:
20	(1) The total number of individuals:
21	(A) who withdrew from school under this section; and
22	(B) who either:
23	(i) failed to return to school at the beginning of a
24	semester; or
25	(ii) stopped attending school during a semester;
26	and for whom there is no record of transfer to another
27	school.
28	(2) The number of individuals who withdrew from school for
29	the reason set forth in subsection (b)(4).
30	(f) If an individual to which this section applies:
31	(1) has not received consent to withdraw from school under
32	this section; and
33	(2) fails to return to school at the beginning of a semester or
34	during the semester;
35	the principal of the school that the individual last attended shall
36	deliver by certified mail or personal delivery to the bureau of child
37	labor a record of the individual's failure to return to school so that
38	the bureau of child labor revokes any employment certificates
39	issued to the individual and does not issue any additional
40	employment certificates to the individual. For purposes of
41	IC 20-33-3-13, the individual shall be considered a dropout.

(g) At the same time that a school principal delivers the record



personal delivery to the bureau of motor vehicles a record of the individual's failure to return to school so that the bureau of motor vehicles revokes any driver's license or learner's permit issued to the individual and does not issue any additional driver's licenses or learner's permits to the individual before the individual is at least eighteen (18) years of age. For purposes of IC 9-24-2-1, the individual shall be considered a dropout. (h) If: (1) a principal has delivered the record required under subsection (f) or subsection (g), or both; and (2) the school subsequently gives consent to the individual to withdraw from school under this section, the principal of the school shall send a notice of withdrawal to the bureau of child labor and the bureau of motor vehicles by certified mail or personal delivery. For purposes of IC 20-33-3-13 and IC 9-24-2-1, the individual shall no longer be considered a dropout. SECTION 113. IC 20-33-2-11, AS ADDED BY HEA 1288-2005, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 11. (a) Notwithstanding IC 9-24 concerning the minimum requirements for qualifying for the issuance of an operator's license or a learner's permit, and subject to subsections (c) through (e), an individual who is: (1) at least thirteen (13) years of age but less than fifteen (15) years of age; (2) a habitual truant under the definition of habitual truant established under subsection (b); and (3) identified in the information submitted to the bureau of motor vehicles under subsection (f); may not be issued an operator's license or a learner's permit to drive a motor vehicle under IC 9-24 until the individual is at least eighteen (18) years of age. (b) Each governing body shall establish and include as part of the written copy of its discipline rules described in IC 20-33-8-12: (1) a definition of a child who is designated as a habitual truant, who must be defined at a minimum as a child who is chronically absent with more than ten (10) unexcused absences from school duri		
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vehicles revokes any driver's license or learner's permit issued to the individual and does not issue any additional driver's licenses or learner's permits to the individual before the individual is at least eighteen (18) years of age. For purposes of IC 9-24-2-1, the individual shall be considered a dropout. (h) If: (1) a principal has delivered the record required under subsection (f) or subsection (g), or both; and (2) the school subsequently gives consent to the individual to withdraw from school under this section, the principal of the school shall send a notice of withdrawal to the bureau of child labor and the bureau of motor vehicles by certified mail or personal delivery. For purposes of IC 20-33-3-13 and IC 9-24-2-1, the individual shall no longer be considered a dropout. SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 11. (a) Notwithstanding IC 9-24 concerning the minimum requirements for qualifying for the issuance of an operator's license or a learner's permit, and subject to subsections (c) through (e), an individual who is: (1) at least thirteen (13) years of age but less than fifteen (15) years of age; (2) a habitual truant under the definition of habitual truant established under subsection (b); and (3) identified in the information submitted to the bureau of motor vehicles under subsection (f); may not be issued an operator's license or a learner's permit to drive a motor vehicle under IC 9-24 until the individual is at least eighteen (18) years of age. (b) Each governing body shall establish and include as part of the written copy of its discipline rules described in IC 20-33-8-12: (1) a definition of a child who is designated as a habitual truant, who must be defined at a minimum as a child who is chronically absent with more than ten (10) unexcused absences from school during one (1) school year; (2) the procedures under which subsection (a) will be administered; and		personal delivery to the bureau of motor vehicles a record of the
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27 established under subsection (b); and 28 (3) identified in the information submitted to the bureau of motor 29 vehicles under subsection (f); 30 may not be issued an operator's license or a learner's permit to drive a 31 motor vehicle under IC 9-24 until the individual is at least eighteen 32 (18) years of age. 33 (b) Each governing body shall establish and include as part of the 34 written copy of its discipline rules described in IC 20-33-8-12: 35 (1) a definition of a child who is designated as a habitual truant, 36 who must be defined at a minimum as a child who is 37 chronically absent with more than ten (10) unexcused 38 absences from school during one (1) school year; 39 (2) the procedures under which subsection (a) will be 40 administered; and	25	years of age;
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39 (2) the procedures under which subsection (a) will be 40 administered; and		•
40 administered; and		
,		
	41	(3) all other pertinent matters related to this action.

(c) An individual described in subsection (a) is entitled to the



1	procedure described in IC 20-33-8-19.
2	(d) An individual described in subsection (a) who is at least thirteen
3	(13) years of age and less than eighteen (18) years of age is entitled to
4	a periodic review of the individual's attendance record in school to
5	determine whether the prohibition described in subsection (a) shall
6	continue. The periodic reviews may not be conducted less than one (1)
7	time each school year.
8	(e) Upon review, the governing body may determine that the
9	individual's attendance record has improved to the degree that the
10	individual may become eligible to be issued an operator's license or a
11	learner's permit.
12	(f) Before:
13	(1) February 1; and
14	(2) October 1;
15	of each year the governing body of the school corporation shall submit
16	to the bureau of motor vehicles the pertinent information concerning an
17	individual's ineligibility under subsection (a) to be issued an operator's
18	license or a learner's permit.
19	(g) The department shall develop guidelines concerning criteria
20	used in defining a habitual truant that may be considered by a
21	governing body in complying with subsection (b).
22	SECTION 114. IC 20-33-2-12.5 IS ADDED TO THE INDIANA
23	CODE AS A NEW SECTION TO READ AS FOLLOWS
24	[EFFECTIVE JULY 1, 2005]: Sec. 12.5 (a) This section applies to an
25	individual:
26	(1) who:
27	(A) attends or last attended a nonpublic nonaccredited
28	school;
29	(B) is at least sixteen (16) years of age but less than
30	eighteen (18) years of age; and
31	(C) has not completed the requirements for graduation;
32	and
33	(2) who:
34	(A) wishes to withdraw from school before graduation;
35	(B) fails to return at the beginning of a semester; or
36	(C) stops attending school during a semester.
37	(b) An individual to whom this section applies may withdraw
38	from school only if the individual's principal and parent provide
39	written consent.
40	SECTION 115. IC 20-33-2-41, AS ADDED BY HEA 1288-2005,
41	SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
42	JULY 1, 2005]: Sec. 41. With the exception of ex officio attendance



1	officers, an individual may not hold the position of attendance officer
2	unless the individual has complied with all standards of the
3	professional standards board department and has been properly
4	licensed by that body. the department.
5	SECTION 116. IC 20-33-3-13, AS ADDED BY HEA 1288-2005,
6	SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
7	JULY 1, 2005]: Sec. 13. (a) Except as provided in subsection (b),
8	upon presentation to the issuing officer of the documents required by
9	section 10 of this chapter, an employment certificate shall be issued
10	immediately to the child. However, an issuing officer may deny a
11	certificate to a child:
12	(1) whose attendance is not in good standing; or
13	(2) whose academic performance does not meet the school
14	corporation's standard.
15	(b) An employment certificate may not be issued to a student
16	who meets any of the following conditions:
17	(1) Is a habitual truant under IC 20-33-2-11.
18	(2) Is under at least a second suspension from school for the
19	school year under IC 20-33-8-14 or IC 20-33-8-15.
20	(3) Is under an expulsion from school under IC 20-33-8-14,
21	IC 20-33-8-15, or IC 20-33-8-16.
22	(4) Is considered a dropout under IC 20-33-2-9.5.
23	(5) Does not meet the academic performance standards of the
24	school corporation.
25	(b) (c) Not more than five (5) days after issuing an employment
26	certificate, the issuing officer shall send a copy of the employment
27	certificate to the department of labor. The issuing officer shall keep a
28	record in the issuing officer's office of each employment certificate
29	issued.
30	(c) (d) A student may appeal the denial of a certificate under
31	subsection (a) to the principal.
32	(e) At least five (5) days before holding an exit interview under
33	IC 20-33-2-9.5, the school corporation shall give notice by certified
34	mail or personal delivery to the student or the student's parent of
35	the following:
36	(1) That the exit interview will include a hearing to determine
37	if the reason for the student's withdrawal is financial
38	hardship.
39	(2) If the principal determines that the reason for the
40	student's withdrawal is not financial hardship:
41	(A) the student and the student's parent will receive a copy



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of the determination; and

(B) the student's name will be submitted to the bureau of child labor by the student's school principal for the bureau of child labor's use in denying or invalidating an employment certificate under this section.

SECTION 117. IC 21-6.1-4-6.1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 6.1. (a) This subsection applies to members who retire before July 1, 1980. A member who had completed four (4) years of approved college teacher training education before voluntary or involuntary induction into the military services is entitled to credit for that service as if the member had begun teaching before the induction. A member who serves in military service is considered a teacher and is entitled to the benefits of the fund if for or during the leave of absence the member pays into the fund the member's contributions. Time served by a member in military service for the duration of the hostilities or for the length of active service in the hostilities and the necessary demobilization time after the hostilities is not subject to the one-seventh rule specified in section 5 of this chapter.

- (b) This subsection applies to members who retire after June 30, 1980. A member who had completed four (4) years of approved college teacher training education before voluntary or involuntary induction into military service is entitled to credit for the member's active military service as if the member had begun teaching before the induction. A member who serves in military service is considered a teacher and is entitled to the benefits of the fund if:
 - (1) the member has an honorable discharge; and
 - (2) except as provided in subsection (f), the member returns to active teaching service within eighteen (18) months after the completion of active military service.

The time served by a member in military service for the duration of the hostilities or for the length of active service in the hostilities and the necessary demobilization time after the hostilities is not subject to the one-seventh rule specified in section 5 of this chapter. However, not more than six (6) years of military service credit may be granted under this subsection. In order to be eligible for any military service credit under this subsection, a member must have at least ten (10) years of in-state service credit.

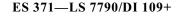
(c) This subsection applies to members who retire after May 1, 1989. A member who had begun but had not completed four (4) years of approved college teacher training education before voluntary or involuntary induction into the military services is entitled to service credit in an amount equal to the duration of the member's active

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1	military service if the following conditions are met:
2	(1) The member has an honorable discharge.
3	(2) Except as provided in subsection (f), the member returns to a
4	four (4) year approved college teacher training program within
5	eighteen (18) months after the completion of active military
6	service and subsequently completes that program.
7	(3) The member has at least ten (10) years of in-state service
8	credit.
9	(d) This subsection applies to members who retire after May 1,
10	1991, and who are employed at state institutions of higher education.
11	A member who had begun but had not completed baccalaureate or
12	post-baccalaureate training education before voluntary or involuntary
13	induction into military service is entitled to the member's active
14	military service credit for the member's active military service in an
15	amount equal to the duration of the member's military service if the
16	following conditions are met:
17	(1) The member received an honorable discharge.
18	(2) Except as provided in subsection (f), the member returns to
19	baccalaureate or post-baccalaureate training education within
20	eighteen (18) months after completion of active military service
21	and subsequently completes that training. education.
22	(3) The member has at least ten (10) years of in-state service
23	credit.
24	(e) The maximum amount of service credit that may be granted to
25	a member who meets the conditions of subsection (c), or (d) is six (6)
26	years. However, for purposes of subsection (c), or (d), the time served
27	by the member in active military service for the length of active service
28	in hostilities and necessary demobilization is not subject to the
29	one-seventh rule specified in section 5 of this chapter.
30	(f) The board shall extend the eighteen (18) month deadline
31	contained in subsection (b)(2), (c)(2), or (d)(2) if the board determines
32	that an illness, an injury, or a disability related to the member's military
33	service prevented the member from returning to active teaching service
3435	or to a teacher training education program within eighteen (18) months
35 36	after the member's discharge from military service. However, the board may not extend the deadline beyond thirty (30) months after the
37	may not extend the deadline beyond thirty (30) months after the member's discharge.
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20	(g) If a member retires, and the board subsequently determines that

the member is entitled to additional service credit due to the extension

of a deadline under subsection (f), the board shall recompute the

member's benefit. However, the additional service credit may be used

only in the computation of benefits to be paid after the date of the



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1	board's determination, and the member is not entitled to a
2	recomputation of benefits received before the date of the board's
3	determination.
4	(h) Notwithstanding any provision of this section, a member is
5	entitled to military service credit and benefits in the amount and to the
6	extent required by the Uniformed Services Employment and
7	Reemployment Rights Act (38 U.S.C. 4301 et seq.), including all later
8	amendments.
9	(i) Subject to the provisions of this section, an active member may
10	purchase not more than two (2) years of service credit for the member's
11	service on active duty in the armed services if the member meets the
12	following conditions:
13	(1) The member has at least one (1) year of credited service in the
14	fund.
15	(2) The member serves on active duty in the armed services of the
16	United States for at least six (6) months.
17	(3) The member receives an honorable discharge from the armed
18	services.
19	(4) Before the member retires, the member makes contributions
20	to the fund as follows:
21	(A) Contributions that are equal to the product of the
22	following:
23	(i) The member's salary at the time the member actually
24	makes a contribution for the service credit.
25	(ii) A rate, determined by the actuary of the fund, that is
26	based on the age of the member at the time the member
27	actually makes a contribution for service credit and
28	computed to result in a contribution amount that
29	approximates the actuarial present value of the benefit
30	attributable to the service credit purchased.
31	(iii) The number of years of service credit the member
32	intends to purchase.
33	(B) Contributions for any accrued interest, at a rate determined
34	by the actuary of the fund, for the period from the member's
35	initial membership in the fund to the date payment is made by
36	the member.
37	However, a member is entitled to purchase service credit under this
38	subsection only to the extent that service credit is not granted for that
39	time under another provision of this section. At least ten (10) years of
40	service in Indiana is required before a member may receive a benefit
41	based on service credits purchased under this section. A member who

terminates employment before satisfying the eligibility requirements



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necessary to receive a monthly allowance or receives a monthly allowance for the same service from another tax supported public employee retirement plan other than under the federal Social Security Act may withdraw the purchase amount plus accumulated interest after submitting a properly completed application for a refund to the fund.

- (j) The following apply to the purchase of service credit under subsection (i):
 - (1) The board may allow a member to make periodic payments of the contributions required for the purchase of the service credit. The board shall determine the length of the period during which the payments must be made.
 - (2) The board may deny an application for the purchase of service credit if the purchase would exceed the limitations under Section 415 of the Internal Revenue Code.
 - (3) A member may not claim the service credit for purposes of determining eligibility or computing benefits unless the member has made all payments required for the purchase of the service credit.

SECTION 118. IC 25-1-1.2-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 2. As used in this chapter, "board" means an entity that regulates occupations or professions under this title and the professional standards board department of education as established by IC 20-1-1.4. IC 20-19-3-1.

SECTION 119. IC 25-33-1-3, AS AMENDED BY HEA 1288-2005, SECTION 196, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 3. (a) There is created a board to be known as the "state psychology board". The board shall consist of seven (7) members appointed by the governor. Six (6) of the board members shall be licensed under this article and shall have had at least five (5) years of experience as a professional psychologist prior to their appointment. The seventh member shall be appointed to represent the general public, must be a resident of this state, must never have been credentialed in a mental health profession, and must in no way be associated with the profession of psychology other than as a consumer. All members shall be appointed for a term of three (3) years. All members may serve until their successors are duly appointed and qualified. A vacancy occurring on the board shall be filled by the governor by appointment. The member so appointed shall serve for the unexpired term of the vacating member. Each member of the board is entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). Such a member is also entitled to reimbursement for traveling expenses and other expenses actually incurred in connection with the member's

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1	duties, as provided in the state travel policies and procedures
2	established by the Indiana department of administration and approved
3	by the state budget agency.
4	(b) The members of the board shall organize by the election of a
5	chairman and a vice chairman from among its membership. Such
6	officers shall serve for a term of one (1) year. The board shall meet at
7	least once in each calendar year and on such other occasions as it
8	considers necessary and advisable. A meeting of the board may be
9	called by its chairman or by a majority of the members on the board.
10	Four (4) members of the board constitute a quorum. A majority of the
11	quorum may transact business.
12	(c) The board is empowered to do the following:
13	(1) Establish reasonable application, examination, and renewal
14	procedures and set fees for licensure under this article. However,
15	no fee collected under this article shall, under any circumstances,
16	be refunded.
17	(2) Adopt and enforce rules concerning assessment of costs in
18	disciplinary proceedings before the board.
19	(3) Establish examinations of applicants for licensure under this
20	article and issue, deny, suspend, revoke, and renew licenses.
21	(4) Subject to IC 25-1-7, investigate and conduct hearings, upon
22	complaint against individuals licensed or not licensed under this
23	article, concerning alleged violation of this article, under
24	procedures conducted in accordance with IC 4-21.5.
25	(5) Initiate the prosecution and enjoinder of any person violating
26	this article.
27	(6) Adopt rules which are necessary for the proper performance
28	of its duties, in accordance with IC 4-22-2.
29	(7) Establish a code of professional conduct.
30	(d) The board shall adopt rules establishing standards for the
31	competent practice of psychology.
32	(e) All expenses incurred in the administration of this article shall
33	be paid from the general fund upon appropriation being made in the
34	manner provided by law for the making of such appropriations.
35	(f) The bureau shall do the following:
36	(1) Carry out the administrative functions of the board.
37	(2) Provide necessary personnel to carry out the duties of this
38	article.

(3) Receive and account for all fees required under this article.

(g) The board shall adopt rules under IC 4-22-2 to establish,

(4) Deposit fees collected with the treasurer of the state for



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41 42 deposit in the state general fund.

1	maintain, and update a list of restricted psychology tests and	
2	instruments (as defined in section 14(b) of this chapter) containing	
3	those psychology tests and instruments that, because of their design or	
4	complexity, create a danger to the public by being improperly	
5	administered and interpreted by an individual other than:	
6	(1) a psychologist licensed under IC 25-33-1-5.1;	
7	(2) an appropriately trained mental health provider under the	
8	direct supervision of a health service provider endorsed under	
9	IC 25-33-1-5.1(c);	
10	(3) a qualified physician licensed under IC 25-22.5;	
11	(4) a school psychologist who holds a valid:	
12	(A) license issued by the professional standards board	
13	department of education under IC 20-28-2; or	
14	(B) endorsement under IC 20-28-12;	
15	practicing within the scope of the school psychologist's license or	
16	endorsement; or	
17	(5) a minister, priest, rabbi, or other member of the clergy	
18	providing pastoral counseling or other assistance.	
19	(h) The board shall provide to:	
20	(1) the social work certification and marriage and family	
21	therapists credentialing board; and	
22	(2) any other interested party upon receiving the request of the	
23	interested party;	
24	a list of the names of tests and instruments proposed for inclusion on	
25	the list of restricted psychological tests and instruments under	
26	subsection (g) at least sixty (60) days before publishing notice of intent	
27	under IC 4-22-2-23 to adopt a rule regarding restricted tests and	
28	instruments.	
29	(i) The social work certification and marriage and family therapists	
30	credentialing board and any other interested party that receives the list	
31	under subsection (h) may offer written comments or objections	
32	regarding a test or instrument proposed for inclusion on the list of	
33	restricted tests and instruments within sixty (60) days after receiving	
34	the list. If:	
35	(1) the comments or objections provide evidence indicating that	
36	a proposed test or instrument does not meet the criteria	
37	established for restricted tests and instruments, the board may	
38	delete that test from the list of restricted tests; and	
39	(2) the board determines that a proposed test or instrument meets	
40	the criteria for restriction after reviewing objections to the test or	

instrument, the board shall respond in writing to justify its

decision to include the proposed test or instrument on the list of



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1	restricted tests and instruments.
2	(j) This section may not be interpreted to prevent a licensed or
3	certified health care professional from practicing within the scope of
4	the health care professional's:
5	(1) license or certification; and
6	(2) training or credentials.
7	SECTION 120. IC 25-33-1-14, AS AMENDED BY HEA
8	1288-2005, SECTION 197, IS AMENDED TO READ AS FOLLOWS
9	[EFFECTIVE JULY 1, 2005]: Sec. 14. (a) This section does not apply
10	to an individual who is:
11	(1) a member of a teaching faculty, at a public or private
12	institution of higher learning for the purpose of teaching,
13	research, or the exchange or dissemination of information and
14	ideas as an assigned duty of the institution;
15	(2) a commissioned psychology officer in the regular United
16	States armed services;
17	(3) licensed by the professional standards board department of
18	education (established by IC 20-28-2-1) IC 20-19-3-1) as a
19	school psychologist and using the title "school psychologist" or
20	"school psychometrist" as an employee of a school corporation;
21	or
22	(4) endorsed as an independent practice school psychologist
23	under IC 20-28-12.
24	(b) As used in this section, "restricted psychology test or
25	instrument" means a measurement instrument or device used for
26	treatment planning, diagnosing, or classifying intelligence, mental and
27	emotional disorders and disabilities, disorders of personality, or
28	neuropsychological, neurocognitive, or cognitive functioning. The term
29	does not apply to an educational instrument used in a school setting to
30	assess educational progress or an appraisal instrument.
31	(c) It is unlawful for an individual to:
32	(1) claim that the individual is a psychologist; or
33	(2) use any title which uses the word "psychologist", "clinical
34	psychologist", "Indiana endorsed school psychologist" or
35	"psychometrist", or any variant of these words, such as
36	"psychology", or "psychological", or "psychologic";
37	unless that individual holds a valid license issued under this article or
38	a valid endorsement issued under IC 20-28-12.
39	(d) It is unlawful for any individual, regardless of title, to render, or
40	offer to render, psychological services to individuals, organizations, or
41	to the public, unless the individual holds a valid license issued under

this article or a valid endorsement issued under IC 20-28-12 or is



exempted under section 1.1 of this chapter.	
(e) It is unlawful for an individual, other than:	
(1) a psychologist licensed under IC 25-33-1-5.1;	
(2) an appropriately trained mental health provider under the	
direct supervision of a health service provider endorsed under	
IC 25-33-1-5.1(c);	
(3) a qualified physician licensed under IC 25-22.5;	
(4) a school psychologist who holds a valid:	
(A) license issued by the professional standards board	
department of education under IC 20-28-2; or	
(B) endorsement under IC 20-28-12;	
who practices within the scope of the school psychologist's	
license or endorsement; or	
(5) a minister, priest, rabbi, or other member of the clergy	
providing pastoral counseling or other assistance;	_
to administer or interpret a restricted psychology test or instrument as	
established by the board under IC 25-33-1-3(g) section 3(g) of this	
chapter in the course of rendering psychological services to	
individuals, organizations, or to the public.	
(f) This section may not be interpreted to prevent a licensed or	
the health care professional's:	
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	 (e) It is unlawful for an individual, other than: (1) a psychologist licensed under IC 25-33-1-5.1; (2) an appropriately trained mental health provider under the direct supervision of a health service provider endorsed under IC 25-33-1-5.1(c); (3) a qualified physician licensed under IC 25-22.5; (4) a school psychologist who holds a valid: (A) license issued by the professional standards board department of education under IC 20-28-2; or (B) endorsement under IC 20-28-12; who practices within the scope of the school psychologist's license or endorsement; or (5) a minister, priest, rabbi, or other member of the clergy providing pastoral counseling or other assistance; to administer or interpret a restricted psychology test or instrument as established by the board under IC 25-33-1-3(g) section 3(g) of this chapter in the course of rendering psychological services to individuals, organizations, or to the public. (f) This section may not be interpreted to prevent a licensed or certified health care professional from practicing within the scope of



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1	[EFFECTIVE JULY 1, 2005]: IC 20-6.1-3-1.5; IC 20-6.1-3-6;
2	IC 20-8.1-4-3; IC 20-10.1-16-9.1; IC 20-10.1-16-10; IC 20-10.1-16-12;
3	IC 20-10.2-2-9.5; IC 20-28-1-4; IC 20-28-5-6; IC 20-32-5-18;
4	IC 20-32-5-20; IC 20-32-5-22.
5	SECTION 123. [EFFECTIVE JULY 1, 2005] (a) The professional
6	standards board established by IC 20-28-2-1 is abolished.
7	(b) The following are transferred on July 1, 2005, from the
8	professional standards board to the department of education
9	established by IC 20-19-3-1:
10	(1) All real and personal property of the professional
11	standards board.
12	(2) All powers, duties, assets, and liabilities of the professional
13	standards board.
14	(3) All appropriations to the professional standards board.
15	(c) Money in the professional standards board licensing fund
16	established by P.L.224-2003, SECTION 9, is transferred on July 1,
17	2005, to the professional standards fund established by
18	IC 20-28-2-10, as added by this act.
19	(d) Rules that were adopted by the professional standards board
20	before July 1, 2005, shall be treated as though the rules were
21	adopted by the advisory board of the division of professional
22	standards of the department of education established by
23	IC 20-28-2-2.
24	(e) After June 30, 2005, a reference to the professional
25	standards board in a statute or rule shall be treated as a reference
26	to the division of professional standards established by
27	IC 20-28-2-1.5, as added by this act.
28	(f) The members appointed before July 1, 2005, to the
29	professional standards board:
30 31	(1) become members of the advisory board for the division of professional standards established by IC 20-28-2-2, as
31 32	amended by this act: and
) /.	amended by this act: and

members were appointed.
(g) A license or permit issued by the professional standards board before July 1, 2005, shall be treated after June 30, 2005, as a license or permit issued by the department of education established by 20-19-3-1.

(2) may serve until the expiration of the term for which the

(h) Proceedings pending before the professional standards board on July 1, 2005, shall be transferred from the professional standards board to the department of education and treated as if initiated by the department of education established by



1	IC 20-19-3-1.
2	SECTION 124. [EFFECTIVE UPON PASSAGE] (a)
3	Notwithstanding IC 20-28-5-3.5, as added by this act, a college or
4	university located in Indiana may recommend to an individual who
5	has been accepted in a teacher training program before July 1,
6	2005, that the individual should meet the requirements of
7	IC 20-28-5-3.5, as added by this act.
8	(b) This SECTION expires June 30, 2007.
9	SECTION 125. [EFFECTIVE UPON PASSAGE] (a) The
10	department of education shall develop a form for the written
11	consent to withdraw from school for a school corporation's use in
12	implementing IC 20-33-2-11.5 as added by this act.
13	(b) The department of education shall compile and make
14	available to schools statistics concerning the likely consequences of
15	life without a high school diploma. The statistics must include, but
16	are not limited to, statistics that show the likelihood of an
17	individual's:
18	(1) unemployment or a lower paying job; and
19	(2) involvement in criminal activity;
20	as the consequence of not obtaining a high school diploma.
21	(c) The department of education shall update the statistics
22	described in subsection (b) every two (2) years.
23	(d) This SECTION expires December 31, 2005.
24	SECTION 126. [EFFECTIVE JULY 1, 2005]: (a) If a statute is
25	passed that requires, beginning with the 2010-2011 school year and
26	with certain exceptions, a student to complete the Core 40
27	curriculum in order to graduate from high school, the department
28	of education shall study and make findings and recommendations
29	on alternate methods for certification including certification in
30	nontraditional ways for teacher licensing for teachers currently
31	employed by a public school to fulfill available positions in
32	shortage areas including mathematics and science and any other
33	subject area designated as a shortage area by the Indiana state
34	board of education.
35	(b) In conducting the study and making a determination under
36	this SECTION, the department shall but is not limited to consider
37	the following factors:
38	(1) the experience of the teacher; and
39	(2) the subject areas the teacher is currently licensed in.
40	(c) The department shall use any additional certification
41	obtained by a teacher for license renewal.

(d) The department shall submit a report of its findings and



1	recommendations under this SECTION not later than December	
2	31, 2005, to the legislative council in an electronic format under	
3	IC 5-14-6.	
4	(d) The report must include:	
5	(1) the results of the study; and	
6	(2) recommendations to the legislative council concerning	
7	alternative teacher licensing methods.	
8	(e) This SECTION expires December 31, 2005.	
9	SECTION 127. An emergency is declared for this act.	
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COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill No. 371, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

Page 3, line 23, strike "academic training" and insert "education".

Page 6, line 17, after "The" insert "advisory board of the division of".

Page 6, line 17, reset in roman "professional".

Page 6, line 18, reset in roman "standards".

Page 6, line 18, delete "Indiana state".

Page 6, line 18, strike "board" and insert "of the department".

Page 6, line 18, reset in roman "IC 20-1-1.4".

Page 6, line 19, delete "IC 20-1-1-1".

Page 6, line 25, after "the" insert "advisory board of the division of".

Page 6, line 25, reset in roman "professional standards".

Page 6, line 25, delete "Indiana".

Page 6, line 26, delete "state".

Page 6, line 26, strike "board".

Page 6, line 26, after "board" insert "of the department".

Page 6, line 26, reset in roman "IC 20-1-1.4.".

Page 6, line 26, delete "IC 20-1-1-1.".

Page 6, line 27, after "the" insert "advisory board of the division of".

Page 6, line 27, reset in roman "professional standards".

Page 6, line 28, after "board" insert "of the".

Page 6, line 28, delete "IC 20-1-1.1-2" and insert "IC 20-1-1.4".

Page 6, line 31, strike "training" and insert "education".

Page 6, line 32, strike "training" and insert "education".

Page 14, line 6, delete "The" and insert "Except as provided in section 7 of this chapter, the".

Page 14, line 11, strike "training" and insert "education".

Page 14, line 23, delete "training," and insert "education,".

Page 15, line 5, strike "training" and insert "education".

Page 15, line 9, strike "training" and insert "education".

Page 16, line 36, delete "In" and insert "Subject to subsection (c)











and in".

Page 16, line 37, after "the" insert "advisory".

Page 16, line 37, reset in roman "board".

Page 16, line 37, delete "department".

Page 17, line 12, strike "training" and insert "education".

Page 17, between lines 19 and 20, begin a new paragraph and insert:

"(c) Before publishing notice of the intent to adopt a rule under IC 4-22-2, the advisory board must submit the proposed rule to the superintendent for approval. If the superintendent approves the rule, the advisory board may publish notice of the intent to adopt the rule. If the superintendent does not approve the rule, the advisory board may not publish notice of the intent to adopt the rule."

Page 18, line 12, delete "Money in the fund is continuously appropriated for use".

Page 18, delete lines 13 through 14.

Page 20, line 14, delete "," and insert ".".

Page 20, line 15, reset in roman "(3) A rule or guideline adopted by the".

Page 20, line 15, after "the" insert "advisory board of the division of".

Page 20, line 15, reset in roman "professional standards".

Page 20, line 16, after "board" insert "of the department of education".

Page 20, line 16, reset in roman "(established by".

Page 20, line 16, after "IC 20-1-1.4-2)," insert "IC 20-1-1.4-3),".

Page 20, line 19, reset in roman "(4)".

Page 20, line 19, delete "(3)".

Page 20, between lines 20 and 21, begin a new paragraph and insert: "SECTION 24. IC 20-6.1-1-0.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 0.5. As used in this article, "advisory board" refers to the advisory board of the division of professional standards of the department of education established

Page 20, between lines 30 and 31, begin a new paragraph and insert:
"SECTION 26. IC 20-6.1-1-8 IS AMENDED TO READ AS
FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 8. Definition,
"Teacher". As used in this article, the term "teacher" means a
professional person whose position in the school corporation requires
certain teacher training preparations educational preparation and
licensing. The term includes, but is not limited to, any superintendent,

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by IC 20-1-1.4-3.".











supervisor, principal, attendance officer, teacher, or librarian.". Page 20, line 32, after "1." insert "(a)". Page 20, line 35, strike "training;" and insert "education;". Page 20, line 36, strike "training" and insert "education". Page 20, line 39, strike "training" and insert "education". Page 20, after line 42, begin a new paragraph and insert: "(b) The department shall work with teacher education schools and departments to develop a system of teacher education that ensures individuals who graduate from the schools and departments are able to meet the highest professional standards.". Page 21, line 9, after "standards" insert "advisory". Page 21, line 9, reset in roman "board's". Page 21, line 10, delete "department's". Page 21, line 15, after "The" insert "advisory". Page 21, line 15, reset in roman "board". Page 21, line 16, delete "department". Page 21, line 31, strike "training" and insert "education". Page 21, line 34, strike "training" and insert "education". Page 24, line 37, after "The" insert "advisory". Page 24, line 37, reset in roman "board". Page 24, line 37, delete "department". Page 25, line 19, after "The" insert "advisory". Page 25, line 19, reset in roman "board". Page 25, line 19, delete "department". Page 25, line 25, after "The" insert "advisory". Page 25, line 25, reset in roman "board". Page 25, line 25, delete "department". Page 26, line 14, strike "training" and insert "education". Page 28, line 19, after "The" insert "advisory". Page 28, line 19, reset in roman "board". Page 28, line 19, delete "department". Page 28, line 21, strike "training" and insert "education". Page 28, line 30, strike "training," and insert "education,". Page 28, line 38, strike "training," and insert "education,". Page 29, line 3, strike "training," and insert "education,". Page 29, line 17, strike "training," and insert "education,". Page 29, line 28, strike "training" and insert "education". Page 29, line 33, strike "training" and insert "education". Page 31, between lines 14 and 15, begin a new paragraph and insert: "SECTION 43. IC 20-10.1-4-4.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 4.5. (a) Notwithstanding IC 20-10.1-1-0.5, this section applies only to public





schools (as defined in IC 20-10.1-1-2).

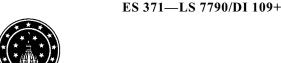
- (b) As used in this section, "good citizenship instruction" means integrating into the current curriculum instruction that stresses the nature and importance of the following:
 - (1) Being honest and truthful.
 - (2) Respecting authority.
 - (3) Respecting the property of others.
 - (4) Always doing one's personal best.
 - (5) Not stealing.
 - (6) Possessing the skills necessary to live peaceably in society and not resorting to violence to settle disputes, including methods of conflict resolution.
 - (7) Taking personal responsibility for obligations to family and community.
 - (8) Taking personal responsibility for earning a livelihood.
 - (9) Treating others the way one would want to be treated.
 - (10) Respecting the national flag, the Constitution of the United States, and the Constitution of the State of Indiana.
 - (11) Respecting one's parents and home.
 - (12) Respecting one's self.
 - (13) Respecting the rights of others to have their own views and religious beliefs.
- (c) The department shall identify and make available to school corporations models of conflict resolution instruction, which may consist of a program of teacher training education with application of the techniques to the children in the classroom, to assist school corporations in complying with this section.

SECTION 44. IC 20-10.1-4-12 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 12. (a) To:

- (1) educate students on the importance of their future career choices;
- (2) prepare students for the realities inherent in the work environment; and
- (3) instill in students work values that will enable them to succeed in their respective careers;

and beginning with the 1994-95 school year, each school within a school corporation shall include in the school's curriculum for all students in grades 1 through 12 instruction concerning employment matters and work values.

- (b) Each school shall:
 - (1) integrate within the curriculum instruction that is; or
 - (2) conduct activities or special events periodically that are;



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designed to foster overall career awareness and career development as described in subsection (a).

- (c) The department shall develop career awareness and career development models as described in subsection (d) to assist schools in complying with this section.
 - (d) The models shall be developed in accordance with the following:
 - (1) For grades 1 through 5, career awareness models to introduce students to work values and basic employment concepts.
 - (2) For grades 6 through 8, initial career information models that focus on career choices as they relate to student interest and skills.
 - (3) For grades 9 through 10, career exploration models that offer students insight into future employment options.
 - (4) For grades 11 through 12, career preparation models that provide job or further education counseling, including the following:
 - (A) Initial job counseling, including the utilization of job service officers to provide school based assessment, information, and guidance on employment options and the rights of students as employees.
 - (B) Workplace orientation visits.
 - (C) On-the-job experience exercises.
- (e) The department, with assistance from the department of labor and the department of workforce development, shall:
 - (1) develop and make available teacher guides; and
 - (2) conduct seminars or other teacher training education activities;

to assist teachers in providing the instruction described in this section.

(f) The department shall, with assistance from the department of workforce development, design and implement innovative career preparation demonstration projects for students in at least grade 9.".

Page 32, line 19, reset in roman "board".

Page 32, line 19, delete "department".

Page 32, between lines 20 and 21, begin a new paragraph and insert: "SECTION 46. IC 20-10.1-16-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 5. (a) The purposes of the ISTEP program developed under this chapter are as follows:

- (1) To assess the strengths and weaknesses of school performance.
- (2) To assess the effects of state and local educational programs.
- (3) To compare achievement of students in Indiana to achievement of students on a national basis.
- (4) To provide a source of information for state and local decision











makers with regard to educational matters, including the following:

- (A) The overall academic progress of students.
- (B) The need for new or revised educational programs.
- (C) The need to terminate existing educational programs.
- (D) Student readiness for postsecondary school experiences.
- (E) Overall curriculum development and revision activities.
- (F) Identifying students who may need remediation under IC 20-10.1-17.
- (G) Diagnosing individual student needs.
- (H) Teacher training education and staff development activities.
- (b) To carry out the purposes described in subsection (a), each English/language arts and mathematics test developed for use under ISTEP must include the following:
 - (1) A method of testing basic skills appropriate for the designated grade level, including multiple choice questions.
 - (2) A method of testing applied skills appropriate for the designated grade level, including short answer or essay questions and the solving of arithmetic or mathematical problems.
 - (3) A method of testing and grading that will allow comparison with national and international academic standards.".

Page 32, line 24, strike "training" and insert "education".

Page 32, between lines 35 and 36, begin a new paragraph and insert: "SECTION 49. IC 21-6.1-4-6.1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 6.1. (a) This subsection applies to members who retire before July 1, 1980. A member who had completed four (4) years of approved college teacher training education before voluntary or involuntary induction into the military services is entitled to credit for that service as if the member had begun teaching before the induction. A member who serves in military service is considered a teacher and is entitled to the benefits of the fund if for or during the leave of absence the member pays into the fund the member's contributions. Time served by a member in military service for the duration of the hostilities or for the length of active service in the hostilities and the necessary demobilization time after the hostilities is not subject to the one-seventh rule specified in section 5 of this chapter.

(b) This subsection applies to members who retire after June 30, 1980. A member who had completed four (4) years of approved college teacher training education before voluntary or involuntary induction into military service is entitled to credit for the member's active

into military service is entitled to credit for the











military service as if the member had begun teaching before the induction. A member who serves in military service is considered a teacher and is entitled to the benefits of the fund if:

- (1) the member has an honorable discharge; and
- (2) except as provided in subsection (f), the member returns to active teaching service within eighteen (18) months after the completion of active military service.

The time served by a member in military service for the duration of the hostilities or for the length of active service in the hostilities and the necessary demobilization time after the hostilities is not subject to the one-seventh rule specified in section 5 of this chapter. However, not more than six (6) years of military service credit may be granted under this subsection. In order to be eligible for any military service credit under this subsection, a member must have at least ten (10) years of in-state service credit.

- (c) This subsection applies to members who retire after May 1, 1989. A member who had begun but had not completed four (4) years of approved college teacher training education before voluntary or involuntary induction into the military services is entitled to service credit in an amount equal to the duration of the member's active military service if the following conditions are met:
 - (1) The member has an honorable discharge.
 - (2) Except as provided in subsection (f), the member returns to a four (4) year approved college teacher training program within eighteen (18) months after the completion of active military service and subsequently completes that program.
 - (3) The member has at least ten (10) years of in-state service credit.
- (d) This subsection applies to members who retire after May 1, 1991, and who are employed at state institutions of higher education. A member who had begun but had not completed baccalaureate or post-baccalaureate training education before voluntary or involuntary induction into military service is entitled to the member's active military service credit for the member's active military service in an amount equal to the duration of the member's military service if the following conditions are met:
 - (1) The member received an honorable discharge.
 - (2) Except as provided in subsection (f), the member returns to baccalaureate or post-baccalaureate training education within eighteen (18) months after completion of active military service and subsequently completes that training. education.
 - (3) The member has at least ten (10) years of in-state service





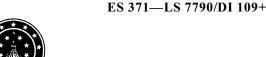






credit.

- (e) The maximum amount of service credit that may be granted to a member who meets the conditions of subsection (c), or (d) is six (6) years. However, for purposes of subsection (c), or (d), the time served by the member in active military service for the length of active service in hostilities and necessary demobilization is not subject to the one-seventh rule specified in section 5 of this chapter.
- (f) The board shall extend the eighteen (18) month deadline contained in subsection (b)(2), (c)(2), or (d)(2) if the board determines that an illness, an injury, or a disability related to the member's military service prevented the member from returning to active teaching service or to a teacher training education program within eighteen (18) months after the member's discharge from military service. However, the board may not extend the deadline beyond thirty (30) months after the member's discharge.
- (g) If a member retires, and the board subsequently determines that the member is entitled to additional service credit due to the extension of a deadline under subsection (f), the board shall recompute the member's benefit. However, the additional service credit may be used only in the computation of benefits to be paid after the date of the board's determination, and the member is not entitled to a recomputation of benefits received before the date of the board's determination.
- (h) Notwithstanding any provision of this section, a member is entitled to military service credit and benefits in the amount and to the extent required by the Uniformed Services Employment and Reemployment Rights Act (38 U.S.C. 4301 et seq.), including all later amendments.
- (i) Subject to the provisions of this section, an active member may purchase not more than two (2) years of service credit for the member's service on active duty in the armed services if the member meets the following conditions:
 - (1) The member has at least one (1) year of credited service in the fund.
 - (2) The member serves on active duty in the armed services of the United States for at least six (6) months.
 - (3) The member receives an honorable discharge from the armed services.
 - (4) Before the member retires, the member makes contributions to the fund as follows:
 - (A) Contributions that are equal to the product of the following:











- (i) The member's salary at the time the member actually makes a contribution for the service credit.
- (ii) A rate, determined by the actuary of the fund, that is based on the age of the member at the time the member actually makes a contribution for service credit and computed to result in a contribution amount that approximates the actuarial present value of the benefit attributable to the service credit purchased.
- (iii) The number of years of service credit the member intends to purchase.
- (B) Contributions for any accrued interest, at a rate determined by the actuary of the fund, for the period from the member's initial membership in the fund to the date payment is made by the member.

However, a member is entitled to purchase service credit under this subsection only to the extent that service credit is not granted for that time under another provision of this section. At least ten (10) years of service in Indiana is required before a member may receive a benefit based on service credits purchased under this section. A member who terminates employment before satisfying the eligibility requirements necessary to receive a monthly allowance or receives a monthly allowance for the same service from another tax supported public employee retirement plan other than under the federal Social Security Act may withdraw the purchase amount plus accumulated interest after submitting a properly completed application for a refund to the fund.

- (j) The following apply to the purchase of service credit under subsection (i):
 - (1) The board may allow a member to make periodic payments of the contributions required for the purchase of the service credit. The board shall determine the length of the period during which the payments must be made.
 - (2) The board may deny an application for the purchase of service credit if the purchase would exceed the limitations under Section 415 of the Internal Revenue Code.
 - (3) A member may not claim the service credit for purposes of determining eligibility or computing benefits unless the member has made all payments required for the purchase of the service credit.".

Page 37, line 17, after "the" insert "advisory board of the division of professional standards of the".

Page 37, line 18, delete "IC 20-1-1.1-2." and insert "20-1-1.4-3.".











Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 371 as introduced.)

LUBBERS, Chairperson

Committee Vote: Yeas 5, Nays 4.

SENATE MOTION

Madam President: I move that Senator Drozda be added as coauthor of Engrossed Senate Bill 371.

KENLEY

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred Senate Bill 371, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17.

Delete pages 2 through 9.

Page 10, delete lines 1 through 34, begin a new paragraph and insert:

"SECTION 1. IC 4-1-8-1, AS AMENDED BY HEA 1288-2005, SECTION 55, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1. (a) No individual may be compelled by any state agency, board, commission, department, bureau, or other entity of state government (referred to as "state agency" in this chapter) to provide the individual's Social Security number to the state agency against the individual's will, absent federal requirements to the contrary. However, the provisions of this chapter do not apply to the following:

- (1) Department of state revenue.
- (2) Department of workforce development.
- (3) The programs administered by:
 - (A) the division of family and children;
 - (B) the division of mental health and addiction;
 - (C) the division of disability, aging, and rehabilitative services;

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and

- (D) the office of Medicaid policy and planning; of the office of the secretary of family and social services.
- (4) Auditor of state.
- (5) State personnel department.
- (6) Secretary of state, with respect to the registration of broker-dealers, agents, and investment advisors.
- (7) The legislative ethics commission, with respect to the registration of lobbyists.
- (8) Indiana department of administration, with respect to bidders on contracts.
- (9) Indiana department of transportation, with respect to bidders on contracts.
- (10) Health professions bureau.
- (11) Indiana professional licensing agency.
- (12) Indiana Department of insurance, with respect to licensing of insurance producers.
- (13) A pension fund administered by the board of trustees of the public employees' retirement fund.
- (14) The Indiana state teachers' retirement fund.
- (15) The state police benefit system.
- (16) The alcohol and tobacco commission.
- (b) The bureau of motor vehicles may, notwithstanding this chapter, require the following:
 - (1) That an individual include the individual's Social Security number in an application for an official certificate of title for any vehicle required to be titled under IC 9-17.
 - (2) That an individual include the individual's Social Security number on an application for registration.
 - (3) That a corporation, limited liability company, firm, partnership, or other business entity include its federal tax identification number on an application for registration.
- (c) The Indiana department of administration, the Indiana department of transportation, the health professions bureau, and the Indiana professional licensing agency may require an employer to provide its federal employer identification number.
- (d) The department of correction may require a committed offender to provide the offender's Social Security number for purposes of matching data with the Social Security Administration to determine benefit eligibility.
- (e) The Indiana gaming commission may, notwithstanding this chapter, require the following:













- (1) That an individual include the individual's Social Security number in any application for a riverboat owner's license, supplier's license, or occupational license.
- (2) That a sole proprietorship, a partnership, an association, a fiduciary, a corporation, a limited liability company, or any other business entity include its federal tax identification number on an application for a riverboat owner's license or supplier's license.
- (f) Notwithstanding this chapter, the professional standards board department of education established by IC 20-28-2-1 IC 20-19-3-1 may require an individual who applies to the board for a license or an endorsement to provide the individual's Social Security number. The Social Security number may be used by the board only for conducting a background investigation, if the board is authorized by statute to conduct a background investigation of an individual for issuance of the license or endorsement.

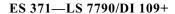
SECTION 2. IC 6-3.1-2-1, AS AMENDED BY HEA 1288-2005, SECTION 94, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1. As used in this chapter, the following terms have the following meanings:

- (1) "Eligible teacher" means a teacher:
 - (A) certified in a shortage area by the professional standards board department of education established by IC 20-28-2-1; IC 20-19-3-1; and
 - (B) employed under contract during the regular school term by a school corporation in a shortage area.
- (2) "Qualified position" means a position that:
 - (A) is relevant to the teacher's academic training education in a shortage area; and
 - (B) has been approved by the Indiana state board of education under section 6 of this chapter.
- (3) "Regular school term" means the period, other than the school summer recess, during which a teacher is required to perform duties assigned to the teacher under a teaching contract.
- (4) "School corporation" means any corporation authorized by law to establish public schools and levy taxes for their maintenance.
- (5) "Shortage area" means the subject areas of mathematics and science and any other subject area designated as a shortage area by the Indiana state board of education.
- (6) "State income tax liability" means a taxpayer's total income tax liability incurred under IC 6-3 and IC 6-5.5, as computed after application of credits that under IC 6-3.1-1-2 are to be applied before the credit provided by this chapter.

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SECTION 3. IC 9-24-2-1, AS AMENDED BY HEA 1288-2005, SECTION 106, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1. (a) A driver's license or a learner's permit may not be issued to an individual less than eighteen (18) years of age who meets any of the following conditions:

- (1) Is a habitual truant under IC 20-33-2-11.
- (2) Is under at least a second suspension from school for the school year under IC 20-33-8-14 or IC 20-33-8-15.
- (3) Is under an expulsion from school under IC 20-33-8-14, IC 20-33-8-15, or IC 20-33-8-16.
- (4) Has withdrawn from school and:
 - (A) withdrew before graduating;
 - (B) withdrew for a reason other than financial hardship; and
 - **(C)** the withdrawal was reported under IC 20-33-2-21(a). before graduating.
- (5) Is considered a dropout under IC 20-33-2-9.5.
- (b) At least five (5) days before holding an exit interview under IC 20-33-2-6(a)(3), IC 20-33-2-9.5, the school corporation shall give notice by certified mail or personal delivery to the student, the student's parent, or the student's guardian of the following:
 - (1) That the exit interview will include a hearing to determine if the reason for the student's withdrawal is financial hardship.
 - (2) If the principal determines that the reason for the student's withdrawal is not financial hardship:
 - (A) the student and the student's parent or guardian will receive a copy of the determination; and
 - (B) the student's name will be submitted by the student's school principal to the bureau for the bureau's use in denying or invalidating a driver's license or learner's permit under this section.

SECTION 4. IC 9-27-4-5.5, AS AMENDED BY HEA 1288-2005, SECTION 111, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 5.5. (a) To receive an instructor's license under subsection (d), an individual must complete at least sixty (60) semester hours at a college. The individual must complete at least twelve (12) semester hours in driver education courses, of which three (3) semester hours must consist of supervised student teaching experience under the direction of an individual who has:

- (1) a driver and traffic safety education endorsement issued by the professional standards board department of education established by IC 20-28-2-1; IC 20-19-3-1; and
- (2) at least five (5) years of teaching experience in driver

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education.

- (b) The three (3) semester hours of supervised student teaching experience required under subsection (a) may only be undertaken by an individual who will be at least twenty-one (21) years of age upon completion and may only be performed at a high school, a commercial driving school, or the college providing the courses for the individual to become an instructor. The remaining nine (9) hours of driver education courses required under subsection (a) must include a combination of theoretical and behind-the-wheel instruction that is consistent with nationally accepted standards in traffic safety.
- (c) The driver education semester hours required under subsection (a) do not satisfy the requirements of subsection (d) or (e) unless the driver education curriculum is approved by the commission for higher education.
- (d) The bureau shall issue an instructor's license to an individual who satisfies all of the following:
 - (1) The individual meets the requirements of subsection (a).
 - (2) The individual does not have more than the maximum number of points for violating traffic laws specified by the bureau by rules adopted under IC 4-22-2.
 - (3) The individual has a good moral character, physical condition, knowledge of the rules of the road, and work history. The bureau shall adopt rules under IC 4-22-2 that specify the requirements, including requirements about criminal convictions, necessary to satisfy the conditions of this subdivision.
- (e) The bureau shall issue an instructor's license to an individual who:
 - (1) during 1995, held an instructor's license;
 - (2) meets the requirements of subsection (d)(2) and (d)(3); and
- (3) completes the twelve (12) semester hours of driver education courses required under subsection (a) not later than July 1, 1999.
 However, an individual who has acted as an instructor for at least two
 (2) years before January 1, 1996, is not required to complete the requirements of subdivision (3) in order to receive an instructor's license under this subsection.
- (f) The bureau shall issue an instructor's license to an individual who:
 - (1) holds a driver and traffic safety education endorsement issued by the professional standards board department of education established by IC 20-28-2-1; IC 20-19-3-1; and
 - (2) meets the requirements of subsection (d)(2) and (d)(3).
 - (g) Only an individual who holds an instructor's license issued by



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the bureau under subsection (d), (e), or (f) may act as an instructor.

SECTION 5. IC 10-13-3-38.5, AS AMENDED BY HEA 1288-2005, SECTION 119, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 38.5. (a) Under federal P.L.92-544 (86 Stat. 1115), the department may use an individual's fingerprints submitted by the individual for the following purposes:

- (1) Determining the individual's suitability for employment with the state, or as an employee of a contractor of the state, in a position:
 - (A) that has a job description that includes contact with, care of, or supervision over a person less than eighteen (18) years of age:
 - (B) that has a job description that includes contact with, care of, or supervision over an endangered adult (as defined in IC 12-10-3-2), except the individual is not required to meet the standard for harmed or threatened with harm set forth in IC 12-10-3-2(a)(3);
 - (C) at a state institution managed by the office of the secretary of family and social services or state department of health;
 - (D) at the Indiana School for the Deaf established by IC 20-22-2-1;
 - (E) at the Indiana School for the Blind established by IC 20-21-2-1;
 - (F) at a juvenile detention facility;
 - (G) with the gaming commission under IC 4-33-3-16;
 - (H) with the department of financial institutions under IC 28-11-2-3; or
 - (I) that has a job description that includes access to or supervision over state financial or personnel data, including state warrants, banking codes, or payroll information pertaining to state employees.
- (2) Identification in a request related to an application for a teacher's license submitted to the professional standards board department of education established by IC 20-28-2-1. IC 20-19-3-1.

An applicant shall submit the fingerprints in an appropriate format or on forms provided for the employment or license application. The department shall charge each applicant the fee established under section 28 of this chapter and by federal authorities to defray the costs associated with a search for and classification of the applicant's fingerprints. The department may forward fingerprints submitted by an applicant to the Federal Bureau of Investigation or any other agency for

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processing. The state personnel department or the agency to which the applicant is applying for employment or a license may receive the results of all fingerprint investigations.

- (b) An applicant who is an employee of the state may not be charged under subsection (a).
- (c) Subsection (a)(1) does not apply to an employee of a contractor of the state if the contract involves the construction or repair of a capital project or other public works project of the state.

SECTION 6. IC 11-10-5-2, AS AMENDED BY HEA 1288-2005, SECTION 122, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 2. The **advisory board of the division of** professional standards board established by IC 20-28-2-1 **IC 20-28-2-2** shall, in accord with IC 20-28-4 and IC 20-28-5, adopt rules under IC 4-22-2 for the licensing of teachers to be employed by the department.

SECTION 7. IC 11-10-5-3, AS AMENDED BY HEA 1288-2005, SECTION 123, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 3. Limited certificates valid for one (1) year may be granted, upon the request of the commissioner, according to rules of the advisory board of the division of professional standards board established by IC 20-28-2-1. IC 20-28-2-2. Modification of these rules may be made by the advisory board of the division of professional standards board in a way reasonably calculated to make available an adequate supply of qualified teachers. A limited certificate may be issued in cases where special training education and qualifications warrant the waiver of part of the prerequisite professional training education required for certification to teach in the public schools. The limited certificate, however, may be issued only to applicants who have graduated from an accredited college or university. Teachers of vocational education need not be graduates of an accredited college or university but shall meet requirements for conditional vocational certificates as determined by the professional standards board. department of education.

SECTION 8. IC 12-17-2-34, AS AMENDED BY HEA 1288-2005, SECTION 132, IS A MENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: (a) When the Title IV-D agency finds that an obligor is delinquent and can demonstrate that all previous enforcement actions have been unsuccessful, the Title IV-D agency shall send, to a verified address, a notice to the obligor that includes does the following:

- (1) Specifies that the obligor is delinquent.
- (2) Describes the amount of child support that the obligor is in









arrears.

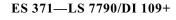
- (3) States that unless the obligor:
 - (A) pays the obligor's child support arrearage in full;
 - (B) requests the activation of an income withholding order under IC 31-16-15-2 and establishes a payment plan with the Title IV-D agency to pay the arrearage; or
- (C) requests a hearing under section 35 of this chapter; within twenty (20) days after the date the notice is mailed, the Title IV-D agency shall issue an order to the bureau of motor vehicles stating that the obligor is delinquent and that the obligor's driving privileges shall be suspended.
- (4) Explains that the obligor has twenty (20) days after the notice is mailed to do one (1) of the following:
 - (A) Pay the obligor's child support arrearage in full.
 - (B) Request the activation of an income withholding order under IC 31-16-15-2 and establish a payment plan with the Title IV-D agency to pay the arrearage.
 - (C) Request a hearing under section 35 of this chapter.
- (5) Explains that if the obligor has not satisfied any of the requirements of subdivision (4) within twenty (20) days after the notice is mailed, that the Title IV-D agency shall issue a notice to:
 - (A) the board **or department** that regulates the obligor's profession or occupation, if any, that the obligor is delinquent and that the obligor may be subject to sanctions under IC 25-1-1.2, including suspension or revocation of the obligor's professional or occupational license;
 - (B) the supreme court disciplinary commission if the obligor is licensed to practice law;
 - (C) the professional standards board as department of education established by IC 20-28-2-1 IC 20-19-3-1 if the obligor is a licensed teacher;
 - (D) the Indiana horse racing commission if the obligor holds or applies for a license issued under IC 4-31-6;
 - (E) the Indiana gaming commission if the obligor holds or applies for a license issued under IC 4-33;
 - (F) the commissioner of the department of insurance if the obligor holds or is an applicant for a license issued under IC 27-1-15.6, IC 27-1-15.8, or IC 27-10-3; or
 - (G) the director of the department of natural resources if the obligor holds or is an applicant for a license issued by the department of natural resources under the following:
 - (i) IC 14-22-12 (fishing, hunting, and trapping licenses).













- (ii) IC 14-22-14 (Lake Michigan commercial fishing license).
- (iii) IC 14-22-16 (bait dealer's license).
- (iv) IC 14-22-17 (mussel license).
- (v) IC 14-22-19 (fur buyer's license).
- (vi) IC 14-24-7 (nursery dealer's license).
- (vii) IC 14-31-3 (ginseng dealer's license).
- (6) Explains that the only basis for contesting the issuance of an order under subdivision (3) or (5) is a mistake of fact.
- (7) Explains that an obligor may contest the Title IV-D agency's determination to issue an order under subdivision (3) or (5) by making written application to the Title IV-D agency within twenty (20) days after the date the notice is mailed.
- (8) Explains the procedures to:
 - (A) pay the obligor's child support arrearage in full;
 - (B) establish a payment plan with the Title IV-D agency to pay the arrearage; and
 - (C) request the activation of an income withholding order under IC 31-16-15-2.
- (b) Whenever the Title IV-D agency finds that an obligor is delinquent and has failed to:
 - (1) pay the obligor's child support arrearage in full;
 - (2) establish a payment plan with the Title IV-D agency to pay the arrearage and request the activation of an income withholding order under IC 31-16-15-2; or
 - (3) request a hearing under section 35 of this chapter within twenty (20) days after the date the notice described in subsection (a) is mailed;

the Title IV-D agency shall issue an order to the bureau of motor vehicles stating that the obligor is delinquent.

- (c) An order issued under subsection (b) must require the following:
 - (1) If the obligor who is the subject of the order holds a driving license or permit on the date the order is issued, that the driving privileges of the obligor be suspended until further order of the Title IV-D agency.
 - (2) If the obligor who is the subject of the order does not hold a driving license or permit on the date the order is issued, that the bureau of motor vehicles may not issue a driving license or permit to the obligor until the bureau of motor vehicles receives a further order from the Title IV-D agency.
- (d) The Title IV-D agency shall provide the:
 - (1) full name;



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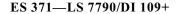
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- (2) date of birth;
- (3) verified address; and
- (4) Social Security number or driving license number; of the obligor to the bureau of motor vehicles.
- (e) When the Title IV-D agency finds that an obligor who is an applicant (as defined in IC 25-1-1.2-1) or a practitioner (as defined in IC 25-1-1.2-6) is delinquent and the applicant or practitioner has failed to:
 - (1) pay the obligor's child support arrearage in full;
 - (2) establish a payment plan with the Title IV-D agency to pay the arrearage or request the activation of an income withholding order under IC 31-16-15; or
- (3) request a hearing under section 35 of this chapter; the Title IV-D agency shall issue an order to the board regulating the practice of the obligor's profession or occupation stating that the obligor is delinquent.
- (f) An order issued under subsection (e) must direct the board **or department** regulating the obligor's profession or occupation to impose the appropriate sanctions described under IC 25-1-1.2.
- (g) When the Title IV-D agency finds that an obligor who is an attorney or a licensed teacher is delinquent and the attorney or licensed teacher has failed to:
 - (1) pay the obligor's child support arrearage in full;
 - (2) establish a payment plan with the Title IV-D agency to pay the arrearage or request the activation of an income withholding order under IC 31-16-15-2; or
- (3) request a hearing under section 35 of this chapter; the Title IV-D agency shall notify the supreme court disciplinary commission if the obligor is an attorney, or the professional standards board department of education if the obligor is a licensed teacher, that the obligor is delinquent.
- (h) When the Title IV-D agency finds that an obligor who holds a license issued under IC 4-31-6 or IC 4-33 has failed to:
 - (1) pay the obligor's child support arrearage in full;
 - (2) establish a payment plan with the Title IV-D agency to pay the arrearage and request the activation of an income withholding order under IC 31-16-15-2; or
- (3) request a hearing under section 35 of this chapter; the Title IV-D agency shall issue an order to the Indiana horse racing commission if the obligor holds a license issued under IC 4-31-6, or to the Indiana gaming commission if the obligor holds a license issued under IC 4-33, stating that the obligor is delinquent and directing the











commission to impose the appropriate sanctions described in IC 4-31-6-11 or IC 4-33-8.5-3.

- (i) When the Title IV-D agency finds that an obligor who holds a license issued under IC 27-1-15.6, IC 27-1-15.8, or IC 27-10-3 has failed to:
 - (1) pay the obligor's child support arrearage in full;
 - (2) establish a payment plan with the Title IV-D agency to pay the arrearage and request the activation of an income withholding order under IC 31-16-15-2; or
- (3) request a hearing under section 35 of this chapter; the Title IV-D agency shall issue an order to the commissioner of the department of insurance stating that the obligor is delinquent and directing the commissioner to impose the appropriate sanctions described in IC 27-1-15.6-29 or IC 27-10-3-20.
- (j) When the Title IV-D agency finds that an obligor who holds a license issued by the department of natural resources under IC 14-22-12, IC 14-22-14, IC 14-22-16, IC 14-22-17, IC 14-22-19, IC 14-24-7, or IC 14-31-3 has failed to:
 - (1) pay the obligor's child support arrearage in full;
 - (2) establish a payment plan with the Title IV-D agency to pay the arrearage and request the activation of an income withholding order under IC 31-16-15-2; or
- (3) request a hearing under section 35 of this chapter; the Title IV-D agency shall issue an order to the director of the department of natural resources stating that the obligor is delinquent and directing the director to suspend or revoke a license issued to the obligor by the department of natural resources as provided in IC 14-11-3.".

Page 22, between lines 34 and 35, begin a new paragraph and insert:

- "(c) Beginning July 1, 2005, the department, before issuing an initial teaching license at any grade level to an undergraduate applicant for an initial teaching license, shall require the applicant to show evidence that the applicant meets one (1) of the following criteria:
 - (1) Has successfully completed a course approved by the board in:
 - (A) cardiopulmonary resuscitation that includes a test demonstration on a mannequin;
 - (B) removing a foreign body causing an obstruction in an airway; and
 - (C) the Heimlich maneuver.
 - (2) Holds a valid certification in the procedures described in











subdivision (1) issued by:

- (A) the American Red Cross;
- (B) the American Heart Association; or
- (C) a comparable organization or institution approved by the board.
- (3) Has physical limitations that make it impracticable for the applicant to complete the course and certification required under subdivisions (1) and (2)."

Page 22, line 35, strike "(c)" and insert "(d)".

Page 26, between lines 2 and 3, begin a new paragraph and insert:

- "(b) Each individual who completes a written examination described in subsection (a) must receive the following from the examination's scorer:
 - (1) The individual's total test score.
 - (2) Subscores for each area tested.
 - (3) Itemized descriptions of the areas in which the individual was found to be deficient.
- (c) This subsection applies to an individual who has attempted the written examination described in subsection (a) at least two (2) times and has failed to demonstrate proficiency in a test area by not more than two (2) points. An individual to whom this subsection applies may demonstrate proficiency in a test area described in this subsection by having the teacher education school or department in which the individual is a student certify to the department that, based upon the individual's coursework, grades, fieldwork, and student teaching, and evaluations by the individual's instructors, the individual possesses the content knowledge assessed in the written examination."

Page 26, line 3, strike "(b)" and insert "(d)".

Page 26, line 6, strike "(c)" and insert "(e)".

Page 26, line 12, strike "(d)" and insert "(f)".

Page 26, line 16, strike "(e)" and insert "(g)".

Page 26, line 18, strike "(f)" and insert "(h)".

Page 31, between lines 10 and 11, begin a new paragraph and insert: "SECTION 41. IC 20-8.1-3-17 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 17. (a) Subject to the specific exceptions under this chapter, each individual shall attend either a public school which the individual is entitled to attend under IC 20-8.1-6.1 or some other school which is taught in the English language.

(b) An individual is bound by the requirements of this chapter from the earlier of the date on which the individual officially enrolls in a



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school or, except as provided in subsection (h), the beginning of the fall school term for the school year in which the individual becomes seven (7) years of age until the date on which the individual meets one (1) of the following conditions, whichever occurs first:

- (1) Graduates.
- (2) Reaches at least sixteen (16) years of age but who is less than eighteen (18) years of age and **meets** the requirements under subsection (j) concerning an exit interview are met section 17.6 or 17.7 of this chapter, enabling the individual to withdraw from school before graduation. or
- (3) Reaches at least eighteen (18) years of age.

whichever occurs first.

- (c) An individual who:
 - (1) enrolls in school before the fall school term for the school year in which the individual becomes seven (7) years of age; and
 - (2) is withdrawn from school before the school year described in subdivision (1) occurs;

is not subject to the requirements of this chapter until the individual is reenrolled as required in subsection (b). Nothing in this section shall be construed to require that a child complete grade 1 before the child reaches eight (8) years of age.

- (d) An individual for whom education is compulsory under this section shall attend school each year:
 - (1) for the number of days public schools are in session in the school corporation in which the individual is enrolled in Indiana; or
 - (2) if the individual is enrolled outside Indiana, for the number of days the public schools are in session where the individual is enrolled.
- (e) In addition to the requirements of subsections (a) through (d), an individual must be at least five (5) years of age on July 1 of the 2001-2002 school year or any subsequent school year to officially enroll in a kindergarten program offered by a school corporation. However, subject to subsection (g), the governing body of the school corporation shall adopt a procedure affording a parent of an individual who does not meet the minimum age requirement set forth in this subsection the right to appeal to the superintendent of the school corporation for enrollment of the individual in kindergarten at an age earlier than the age that is set forth in this subsection.
- (f) In addition to the requirements of subsections (a) through (e), and subject to subsection (g), if an individual enrolls in school as permitted under subsection (b) and has not attended kindergarten, the









superintendent of the school corporation shall make a determination as to whether the individual shall enroll in kindergarten or grade 1 based on the particular model assessment adopted by the governing body under subsection (g).

- (g) To assist the principal and governing bodies, the department shall do the following:
 - (1) Establish guidelines to assist each governing body in establishing a procedure for making appeals to the superintendent of the school corporation under subsection (e).
 - (2) Establish criteria by which a governing body may adopt a model assessment which will be utilized in making the determination under subsection (f).
- (h) If the parents of an individual who would otherwise be subject to compulsory school attendance under subsection (b), upon request of the superintendent of the school corporation, certify to the superintendent of the school corporation that the parents intend to:
 - (1) enroll the individual in a nonaccredited, nonpublic school; or
 - (2) begin providing the individual with instruction equivalent to that given in the public schools as permitted under section 34 of this chapter;

not later than the date on which the individual reaches seven (7) years of age, the individual is not bound by the requirements of this chapter until the individual reaches seven (7) years of age.

- (i) The governing body of each school corporation shall designate the appropriate employees of the school corporation to conduct the exit interviews for students described in subsection (b)(2). Each exit interview must be personally attended by:
 - (1) the student's parent or guardian;
 - (2) the student;
 - (3) each designated appropriate school employee; and
 - (4) the student's principal.
- (j) A student who is at least sixteen (16) years of age but less than eighteen (18) years of age is bound by the requirements of compulsory school attendance and may not withdraw from school before graduation unless:
 - (1) the student, the student's parent or guardian, and the principal agree to the withdrawal; and
 - (2) at the exit interview the student provides written acknowledgment of the withdrawal and the student's parent or guardian and the school principal each provide written consent for the student to withdraw from school.
 - (k) (j) For the purposes of this section, "school year" has the











meaning set forth in IC 21-2-12-3(h).

SECTION 42. IC 20-8.1-3-17.2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 17.2. (a) Each governing body shall establish and include as part of the written copy of its discipline rules described in IC 20-8.1-5.1-7:

- (1) a definition of a student who is designated as a habitual truant, who must be defined at a minimum as someone who is chronically absent, by missing more than ten (10) unexcused days of school in one (1) school year;
- (2) the procedures under which subsection (b) will be administered; and
- (3) all other pertinent matters related to this action.
- (b) Notwithstanding IC 9-24 concerning the minimum requirements for qualifying for the issuance of an operator's license or learner's permit, and subject to subsections (c) through (e), a person who is:
 - (1) at least thirteen (13) years of age but less than fifteen (15) years of age;
 - (2) a habitual truant under the definition of habitual truant established under subsection (a); and
 - (3) identified in a list submitted to the bureau of motor vehicles under subsection (f);

may not be issued an operator's license or a learner's permit to drive a motor vehicle or motorcycle under IC 9-24 until the person is at least eighteen (18) years of age.

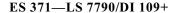
- (c) A person described in subsection (b) is entitled to the procedure described in IC 20-8.1-5.1-13.
- (d) Each person described in subsection (b) who is at least thirteen (13) years of age and less than eighteen (18) years of age is entitled to a periodic review of that person's attendance record in school in order to determine whether the prohibition described in subsection (b) shall continue. In no event may the periodic reviews be conducted less than one (1) time each school year.
- (e) Upon review, the governing body may determine that the person's attendance record has improved to the degree that the person may become eligible to be issued an operator's license or a learner's permit.
- (f) Before February 1 and before October 1 of each year, the governing body of the school corporation shall submit to the bureau of motor vehicles the pertinent information concerning a person's ineligibility under subsection (b) to be issued the license or permit.
- (g) The department of education shall develop guidelines concerning criteria used in defining a habitual truant that may be













considered by a governing body in complying with subsection (a).

SECTION 43. IC 20-8.1-3-17.6 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 17.6. (a) This section applies to an individual:**

- (1) who:
 - (A) attends or last attended a nonpublic nonaccredited school;
 - (B) is at least sixteen (16) years of age but less than eighteen (18) years of age; and
 - (C) has not completed the requirements for graduation; and
- (2) who:
 - (A) wishes to withdraw from school before graduation;
 - (B) fails to return at the beginning of a semester; or
 - (C) stops attending school during a semester.
- (b) An individual to whom this section applies may withdraw from school only if the individual's principal and parent provide written consent.

SECTION 44. IC 20-8.1-3-17.7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 17.7. (a) This section applies to an individual:**

- (1) who:
 - (A) attends or last attended a public or nonpublic accredited school;
 - (B) is at least sixteen (16) years of age but less than eighteen (18) years of age; and
 - (C) has not completed the requirements for graduation;
- (2) who:
 - (A) wishes to withdraw from school before graduation;
 - (B) fails to return at the beginning of a semester; or
 - (C) stops attending school during a semester; and
- (3) who has no record of transfer to another school.
- (b) An individual to whom this section applies may withdraw from school only if all the following conditions are met:
 - (1) An exit interview is conducted.
 - (2) The individual's parent consents to the withdrawal.
 - (3) The school principal approves of the withdrawal.
 - (4) The withdrawal is because of financial hardship and the individual is employed to support the individual's family or dependents.

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- (5) The school principal provides to the student and the student's parent a copy of statistics compiled by the department concerning the likely consequences of life without a high school diploma.
- (6) The school principal advises the student and the student's parent that a driver's license or learner's permit may be revoked and may not be issued to the student upon the student's withdrawal from school, for a reason other than financial hardship.
- (7) The school principal advises the student and the student's parent that an employment certificate may be revoked and may not be issued to the student upon the student's withdrawal from school, for a reason other than financial hardship.
- (c) For purposes of this section, the following must be in written form:
 - (1) An individual's request to withdraw from school.
 - (2) A parent's consent to a withdrawal.
 - (3) A principal's consent to a withdrawal.
- (d) If the individual's principal does not consent to the individual's withdrawal under this section, the individual's parent may appeal the denial of consent to the governing body of the public or nonpublic accredited school that the individual last attended.
- (e) Each public school, including each school corporation and each charter school (as defined in IC 20-5.5-1-4), and each nonpublic accredited school shall provide an annual report to the department setting forth the following information:
 - (1) The total number of individuals:
 - (A) who withdrew from school under this section; and
 - (B) who either:
 - (i) failed to return to school at the beginning of a semester; or
 - (ii) stopped attending school during a semester; and for whom there is no record of transfer to another school.
 - (2) The number of individuals who withdrew from school for the reason set forth in subsection (b)(4).
 - (f) If an individual to which this section applies:
 - (1) has not received consent to withdraw from school under this section; and
 - (2) fails to return to school at the beginning of a semester or



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during the semester;

the principal of the school that the individual last attended shall deliver by certified mail or personal delivery to the bureau of child labor a record of the individual's failure to return to school so that the bureau of child labor revokes any employment certificates issued to the individual and does not issue any additional employment certificates to the individual. For purposes of IC 20-8.1-4-12, the individual shall be considered a dropout.

- (g) At the same time that a school principal delivers the record under subsection (f), the principal shall deliver by certified mail or personal delivery to the bureau of motor vehicles a record of the individual's failure to return to school so that the bureau of motor vehicles revokes any driver's license or learner's permit issued to the individual and does not issue any additional driver's licenses or learner's permits to the individual before the individual is at least eighteen (18) years of age. For purposes of IC 9-24-2-1, the individual shall be considered a dropout.
 - (h) If:
 - (1) a principal has delivered the record required under subsection (f) or (g), or both; and
 - (2) the school subsequently gives consent to the individual to withdraw from school under this section,

the principal of the school shall send a notice of withdrawal to the bureau of child labor and the bureau of motor vehicles by certified mail or personal delivery. For purposes of IC 20-8.1-4-12 and IC 9-24-2-1, the individual shall no longer be considered a dropout.

SECTION 45. IC 20-8.1-4-12 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 12. (a) **Except as provided in subsection (b)**, upon presentation of the documents required by section 7 of this chapter, an employment certificate shall be issued immediately to the child. However, an issuing officer may deny a certificate to a child:

- (1) whose attendance is not in good standing; or
- (2) whose academic performance does not meet the school corporation's standard.
- (b) An employment certificate may not be issued to a student who meets any of the following conditions:
 - (1) Is a habitual truant under IC 20-8.1-3-17.2.
 - (2) Is under at least a second suspension from school for the school year under IC 20-8.1-5.1-8 or IC 20-8.1-5.1-9.
 - (3) Is under an expulsion from school under IC 20-8.1-5.1-8, IC 20-8.1-5.1-9, or IC 20-8.1-5.1-10.

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- (4) Is considered a dropout under IC 20-8.1-3-17.7.
- (5) Does not meet the academic performance standards of the school corporation.
- (b) (c) Within five (5) days, the issuing officer shall send a copy of the employment certificate to the department of labor. The issuing officer shall keep a record in his office of each employment certificate issued.
- (c) (d) A student may appeal the denial of a certificate under subsection (a) to the school principal.
- (e) At least five (5) days before holding an exit interview under IC 20-8.1-3-17.7, the school corporation shall give notice by certified mail or personal delivery to the student or the student's parent of the following:
 - (1) That the exit interview will include a hearing to determine if the reason for the student's withdrawal is financial hardship.
 - (2) If the principal determines that the reason for the student's withdrawal is not financial hardship:
 - (A) the student and the student's parent will receive a copy of the determination; and
 - (B) the student's name will be submitted to the bureau of child labor by the student's school principal for the bureau of child labor's use in denying or invalidating an employment certificate under this section.".

Page 34, after line 42, begin a new paragraph and insert:

"SECTION 46. IC 20-10.1-16-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 4. (a) The board shall:

- (1) authorize the development and implementation of the Indiana statewide testing for educational progress program; and
- (2) determine the date, which for school years beginning after June 30, 2006, must be during the first two (2) weeks that end in May of the school year, on which the statewide testing is administered in each school corporation.
- (b) The state superintendent is responsible for the overall development, implementation, and monitoring of the ISTEP program.
- (c) The department shall prepare detailed design specifications for the ISTEP program that must do the following:
 - (1) Take into account the academic standards.
 - (2) Include testing of students' higher level cognitive thinking in each subject area tested.
 - (3) Provide for a pilot test for reliability and validation to be given during the first two (2) weeks that end in May 2006, and

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for the following schedule concerning the administration, scoring, and reporting of results, for school years beginning after June 30, 2006:

- (A) Test administration conducted during the first two (2) weeks that end in May.
- (B) Test scoring completed before June 16.
- (C) Test results reported to teachers and parents before July 1.
- (D) Yearly progress reported to parents and the federal government before July 16.

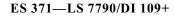
SECTION 47. IC 20-10.1-16-4.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4.1. (a) Before August 2, 2005, the department shall develop a ten (10) year plan for student diagnostic and summative achievement assessment that must include a system that:

- (1) has as its purposes to:
 - (A) provide teachers with diagnostic assessment tools during the school year to determine whether each student is learning below, at, or above the academic standards for that grade and subject so that the teacher may direct instruction accordingly;
 - (B) annually assess the progress of each student under the academic standards toward the knowledge and skills necessary for success in postsecondary education, workplace education, and lifelong learning; and
 - (C) confirm before graduation that each student has the knowledge and skills necessary for success in postsecondary education, workplace education, and lifelong learning.
- (2) uses:
 - (A) a diagnostic assessment tool for language arts (including English), mathematics, science, and social studies in kindergarten through at least grade 8 to support on-line, intra-year diagnostic assessments of individual or collective students by teachers to assist efforts to accelerate learning by students performing below expectations and support further learning by students performing at or above expectations;
 - (B) annual on-line end of the school year assessments for grades 3 through 8 that assess whether students are proficient in the subject matter of the grades in language











arts (including English), mathematics, science, and social studies, as determined by the academic standards applicable to the subjects and grades;

- (C) on-line end of course assessments in grades 9 through 12 that assess whether students are proficient in the subject matter of the courses in language arts (including English), mathematics, science, and social studies, as determined by the academic standards applicable to the subjects and courses;
- (D) a new graduation examination, effective at least for the students expected to graduate at the end of the school year beginning July 1, 2010, and ending June 30, 2011, that confirms that the student has demonstrated the knowledge and skills necessary for success in postsecondary education, workplace education, and lifelong learning; and (E) a separate written essay examination for each grade that must be reported as a separate part of the assessment results and that must be used independently by teachers and schools to determine whether the student is writing at a level commensurate with the needs and expectations of learning and communicating at that grade level;
- (3) uses on-line testing to provide ease of use and timely return of results;
- (4) supports an annual cycle of learning, assessment, and feedback that:
 - (A) provides on-line question banks and means for diagnostic assessments for teachers to use during the school year to assess whether students are performing below, at, or above expectations for each subject and grade;
 - (B) administers annual student assessments and graduate examinations during the first two (2) weeks that end in May each year;
 - (C) reports results to teachers, parents, communities, and the federal government before July 16 each year; and
 - (D) provides for a common method and means by which teachers shall grade the independent written essay.
- (b) Before October 1, 2005, the department, the office of management and budget, and the attorney general shall develop specifications and a process for a long term contract with an assessment provider to implement the plan developed under this section. The department shall consult with postsecondary









education and workplace employers in the state to ensure that the specifications comply with subsection (a)(1)(C). The department shall consult with superintendents in the state to ensure that the specifications comply with subsection (a)(2)(A). The specifications must comply with this section. The initial specifications must provide for pilot assessments to be given in the period during the first two (2) weeks that end in May 1, 2006, and annual assessments to be given during the first two (2) weeks of May 2007. The process must solicit interest from national and international assessment companies, put out a request for proposals, and solicit proposals for a plan to transition to the assessment system provided for in this section and manage the system, subject to the specifications, until the school year beginning July 1, 2016, and ending June 30, 2017, notwithstanding any other law that limits the maximum term of state contracts. Proposals received shall be reviewed jointly by the department and the office of management and budget, which shall jointly determine the successful bidder, subject to the approval of the attorney general for form and legality of the bid process. The bid process must be completed before January 1, 2006.

(c) If a successful bidder is selected, the pilot test contemplated by section 4(c)(3) of this chapter for the period during the first two (2) weeks that end in May 2006, shall be replaced by the pilot test contemplated by this section.".

Page 36, between lines 5 and 6, begin a new paragraph and insert: "SECTION 56. IC 20-12-22.2 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]:

Chapter 22.2. Teacher Recruitment and Retention Fund

- Sec. 1. As used in this chapter, "board" refers to the advisory board of the division of professional standards of the department of education established by IC 20-28-2-2.
- Sec. 2. As used in this chapter, "fund" refers to the teacher recruitment and retention fund established by section 3 of this chapter.
- Sec. 3. (a) The teacher recruitment and retention fund is established.
- (b) The purpose of the fund is to attract additional qualified teachers to the geographic areas of Indiana where there is a critical shortage of teachers, as determined by the board, by granting loan repayment assistance authorized under this chapter to eligible applicants.









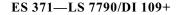


- (c) The fund consists of gifts, grants, devises, or bequests made to the state to achieve the purposes of the fund.
- (d) The fund shall be administered by the board. The expenses of administering the fund shall be paid from money in the fund.
- (e) Funds appropriated to the fund shall be placed in the state treasury to the credit of the fund. Loan repayment assistance payments shall be made from the fund by the treasurer of state upon a warrant issued by the auditor of state in accordance with rules adopted by the board.
- Sec. 4. The board shall receive and consider all applications for loan repayment assistance received from teachers with outstanding guaranteed student loans made, issued, or guaranteed under a program authorized by Title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.).
- Sec. 5. (a) To qualify for loan repayment assistance for student loans under this chapter a person must:
 - (1) hold a license to teach under IC 20-28-5;
 - (2) complete at least one (1) year of teaching service in a geographic area of Indiana where a critical shortage of teachers exists, as determined by the board;
 - (3) agree in writing to the employment requirements set forth in section 7 of this chapter; and
 - (4) meet any additional criteria established by the board.
- (b) For each year for which a teacher qualifies under subsection (a), the board may grant loan repayment assistance to the teacher in an amount not to exceed the lesser of:
 - (1) fifty percent (50%) of the total principal and interest of the guaranteed student loans owed by the teacher during the year for which the teacher qualifies under subsection (a); or
 - (2) three thousand dollars (\$3,000).
- (c) The loan repayment assistance granted to a qualified teacher under this chapter must be used to reduce the principal and interest on a guaranteed student loan owed by that qualified teacher. The years of service rendered to obtain loan repayment assistance for student loans must be consecutive and may not exceed five (5) years. The maximum amount of loan repayment assistance that may be granted to any qualified teacher is fifteen thousand dollars (\$15,000).
- Sec. 6. A qualified teacher must apply for a loan repayment on a form supplied by the board. The board shall consider each application and determine the eligibility of the applicant for the loan repayment assistance.











- Sec. 7. (a) Before being granted loan repayment assistance under this chapter, a teacher must enter into a contract with the board agreeing to the terms and conditions upon which the loan repayment assistance will be granted to the teacher.
- (b) As a condition of being granted loan repayment assistance under this chapter, a teacher must agree to employment for a period of at least five (5) years as a licensed teacher in a school district located in a geographic area of Indiana where a critical shortage of teachers exists.
- (c) Service rendered by a teacher in a geographic area where a critical shortage of teachers exists before that teacher becomes a participant in the program may not be considered to have fulfilled the employment commitment required by subsection (b).
- (d) A person failing to comply with the employment commitment required by subsection (b) in any required school year is immediately in breach of contract and immediately becomes liable to the board for the sum of all loan payments awarded to that person, less one-third (1/3) of the amount of that sum for each year that service was rendered, plus interest accruing at the current federal Stafford Loan rate at the time the breach occurs.
- Sec. 8. The board shall maintain complete and accurate records in implementing the fund, including records of the following:
 - (1) The receipt, disbursement, and uses of money from the fund.
 - (2) The number of applications for loan repayment assistance.
 - (3) The number and amount of loans for which loan repayment assistance has been provided by the board.
 - (4) Other pertinent information requested by the board.
- Sec. 9. The board may adopt rules under IC 4-22-2 necessary to carry out this chapter, including rules governing the enforcement of any employment requirements and repayment requirements.

SECTION 57. IC 20-18-2-22, AS ADDED BY HEA 1288-2005, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 22. (a) "Teacher" means a professional person whose position in a school corporation requires certain teacher training preparations educational preparation and licensing.

- (b) For purposes of IC 20-28, the term includes the following:
 - (1) A superintendent.
 - (2) A supervisor.
 - (3) A principal.
 - (4) An attendance officer.
 - (5) A teacher.







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(6) A librarian.

SECTION 58. IC 20-20-31-10, AS ADDED BY HEA 1288-2005, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 10. The state board shall approve an evaluation system for professional development based on recommendations from the department and the **advisory board of the division of** professional standards board established by IC 20-28-2-1. IC 20-28-2-2. The department shall develop a means for measuring successful programs and activities in which schools participate. The measurements must include the following:

- (1) A mechanism to identify and develop strategies to collect multiple forms of data that reflect the achievement of expectations for all students. The data may include the results of ISTEP program tests under IC 20-31-3, IC 20-32-4, IC 20-32-5, and IC 20-32-6, local tests, classroom work, and teacher and administrator observations.
- (2) A procedure for using collected data to make decisions.
- (3) A method of evaluation in terms of educator's practice and student learning, including standards for effective teaching and effective professional development.

SECTION 59. IC 20-24-8-4, AS ADDED BY HEA 1288-2005, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 4. Except as specifically provided in this article and the statutes listed in section 5 of this chapter, the following do not apply to a charter school:

- (1) An Indiana statute applicable to a governing body or school corporation.
- (2) A rule or guideline adopted by the state board.
- (3) A rule or guideline adopted by the **advisory board of the division of** professional standards board of the **department** established by IC 20-28-2-1(a), IC 20-28-2-2, except for those rules that assist a teacher in gaining or renewing a standard or advanced license.
- (4) A local regulation or policy adopted by a school corporation unless specifically incorporated in the charter.

SECTION 60. IC 20-26-11-11, AS ADDED BY HEA 1288-2005, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 11. (a) A school corporation may enter into an agreement with:

- (1) a nonprofit corporation that operates a federally approved education program; or
- (2) a nonprofit corporation that:

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- (A) is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code;
- (B) for its classroom instruction, employs teachers who are certified by the professional standards board; department;
- (C) employs other professionally and state licensed staff as appropriate; and
- (D) educates children who:
 - (i) have been suspended, expelled, or excluded from a public school in that school corporation and have been found to be emotionally disturbed;
 - (ii) have been placed with the nonprofit corporation by court order;
 - (iii) have been referred by a local health department; or
 - (iv) have been placed in a state licensed private or public health care or child care facility as described in section 8(b) of this chapter;

in order to provide a student with an individualized education program that is the most suitable educational program available.

- (b) If a school corporation that is a transferee corporation enters into an agreement as described in subsection (a), the school corporation shall pay to the nonprofit corporation an amount agreed upon from the transfer tuition of the student. The amount agreed upon may not exceed the transfer tuition costs that otherwise would be payable to the transferee corporation.
- (c) If a school corporation that is a transferor corporation enters into an agreement as described in subsection (a), the school corporation shall pay to the nonprofit corporation an amount agreed upon, which may not exceed the transfer tuition costs that otherwise would be payable to a transferee school corporation.

SECTION 61. IC 20-28-1-1.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 1.5.** "Advisory board" refers to the advisory board of the division of professional standards established by IC 20-28-2-2.

SECTION 62. IC 20-28-1-2, AS ADDED BY HEA 1288-2005, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 2. "Applicant" refers to an applicant for:

- (1) a new license;
- (2) a renewal license; or
- (3) a substitute teacher certificate;

issued by the board. department.

SECTION 63. IC 20-28-1-5.5 IS ADDED TO THE INDIANA

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CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 5.5 "Division" refers to the division of professional standards of the department of education established by IC 20-28-2-1.5.**

SECTION 64. IC 20-28-1-7, AS ADDED BY HEA 1288-2005, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 7. "License" refers to a document issued by the board department that grants permission to serve as a particular kind of teacher. The term includes any certificate or permit issued by the board. department.

SECTION 65. IC 20-28-2-1, AS ADDED BY HEA 1288-2005, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1. (a) Except as provided in section 6 of this chapter, the professional standards board is established to govern teacher training and licensing programs. (b) Notwithstanding any other law, the board and the board's staff have department has the sole authority and responsibility for making recommendations concerning and governing teacher training education and teacher licensing matters, including professional development.

SECTION 66. IC 20-28-2-1.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1.5. The division of professional standards is established within the department to administer the responsibilities of the department described in section 2 of this chapter.

SECTION 67. IC 20-28-2-2, AS ADDED BY HEA 1288-2005, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 2. (a) The advisory board of the division of professional standards is established to advise the superintendent, the board, the department, and the division on matters concerning teacher education, licensing, and professional development. The advisory board consists of nineteen (19) voting members.

- (b) Except as otherwise provided, each voting member of the **advisory** board described in this subsection must be actively employed by a school corporation. Eighteen (18) members shall be appointed by the governor as follows:
 - (1) One (1) member must hold a license and be actively employed in a public school as an Indiana school superintendent.
 - (2) Two (2) members must:
 - (A) hold licenses as public school principals;
 - (B) be actively employed as public school principals; and
 - (C) be employed at schools having dissimilar grade level











configurations.

- (3) One (1) member must:
 - (A) hold a license as a special education director; and
 - (B) be actively employed as a special education director in:
 - (i) a school corporation; or
 - (ii) a public school special education cooperative.
- (4) One (1) member must be a member of the governing body of a school corporation but is not required to be actively employed by a school corporation or to hold an Indiana teacher's license.
- (5) Three (3) members must meet the following conditions:
 - (A) Represent Indiana teacher training education units within Indiana public and private institutions of higher education.
 - (B) Hold a teacher's license but not necessarily an Indiana teacher's license.
 - (C) Be actively employed by the respective teacher training education units.

The members described in this subdivision are not required to be employed by a school corporation.

- (6) Nine (9) members must be licensed and actively employed as Indiana public school teachers in the following categories:
 - (A) At least one (1) member must hold an Indiana standard early childhood education license.
 - (B) At least one (1) member must hold an Indiana teacher's license in elementary education.
 - (C) At least one (1) member must hold an Indiana teacher's license for middle/junior high school education.
 - (D) At least one (1) member must hold an Indiana teacher's license in high school education.
- (7) One (1) member must be a member of the business community in Indiana but is not required to be actively employed by a school corporation or to hold an Indiana teacher's license.
- (c) Each member described in subsection (b)(6) must be licensed and actively employed as a practicing teacher in at least one (1) of the following areas to be appointed:
 - (1) At least one (1) member must be licensed in special education.
 - (2) At least one (1) member must be licensed in vocational education.
 - (3) At least one (1) member must be employed and licensed in student services, which may include school librarians or psychometric evaluators.
 - (4) At least one (1) member must be licensed in social science education.

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- (5) At least one (1) member must be licensed in fine arts education.
- (6) At least one (1) member must be licensed in English or language arts education.
- (7) At least one (1) member must be licensed in mathematics education.
- (8) At least one (1) member must be licensed in science education.
- (d) At least one (1) member described in subsection (b) must be a parent of a student enrolled in a public preschool or public school within a school corporation in either kindergarten or any of grades 1 through 12.
- (e) The state superintendent shall serve as an ex officio voting member of the **advisory** board. The state superintendent may make recommendations to the governor as to the appointment of members on the **advisory** board.

SECTION 68. IC 20-28-2-3, AS ADDED BY HEA 1288-2005, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 3. The term of office for the appointed members of the **advisory** board is four (4) years.

SECTION 69. IC 20-28-2-4, AS ADDED BY HEA 1288-2005, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 4. The superintendent shall appoint the chairperson director of the advisory board, shall be elected by a majority of the members of the board who shall be known as the secretary of professional standards, from among the members of the advisory board for a term of one (1) year. A member may be reelected reappointed to serve as a chairperson director for subsequent terms.

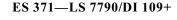
SECTION 70. IC 20-28-2-5, AS ADDED BY HEA 1288-2005, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: (a) Each member of the **advisory** board who is not a state employee is not entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). The member is, however, entitled to reimbursement for traveling expenses and other expenses actually incurred in connection with the member's duties, as provided in the state travel policies and procedures established by the Indiana department of administration and approved by the budget agency.

(b) Each member of the **advisory** board who is a state employee is entitled to reimbursement for traveling expenses and other expenses actually incurred in connection with the member's duties, as provided in the state travel policies and procedures established by the Indiana department of administration and approved by the budget agency.











SECTION 71. IC 20-28-2-6, AS ADDED BY HEA 1288-2005, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 6. (a) **Subject to subsection (c) and** in addition to the powers and duties set forth in IC 20-20-22 or this article, the **advisory** board shall may adopt rules under IC 4-22-2 to do the following:

- (1) Set standards for teacher licensing and administer for the administration of a professional licensing and certification process by the department.
- (2) Approve or disapprove teacher preparation programs.
- (3) Set fees to be charged in connection with teacher licensing.
- (4) Suspend, revoke, or reinstate teacher licenses.
- (5) Enter into agreements with other states to acquire reciprocal approval of teacher preparation programs.
- (6) Set standards for teacher licensing concerning new subjects of study.
- (7) Evaluate work experience and military service concerning higher education and experience equivalency.
- (8) Perform any other action that:
 - (A) relates to the improvement of instruction in the public schools through teacher education and professional development through continuing education; and
 - (B) attracts qualified candidates for teacher training education from among the high school graduates of Indiana.
- (9) Set standards for endorsement of school psychologists as independent practice school psychologists under IC 20-28-12.
- (b) Notwithstanding subsection (a)(1), an individual is entitled to one (1) year of occupational experience for purposes of obtaining an occupational specialist certificate under this article for each year the individual holds a license under IC 25-8-6.
- (c) Before publishing notice of the intent to adopt a rule under IC 4-22-2, the advisory board must submit the proposed rule to the state superintendent for approval. If the state superintendent approves the rule, the advisory board may publish notice of the intent to adopt the rule. If the state superintendent does not approve the rule, the advisory board may not publish notice of the intent to adopt the rule.

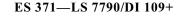
SECTION 72. IC 20-28-2-7, AS ADDED BY HEA 1288-2005, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: (a) The board department may recommend to the general assembly for consideration measures relating to the board's department's powers and duties that improve the quality of teacher

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preparation or teacher licensing standards.

- (b) The **board department** shall submit to the general assembly before November 1 of each year a report:
 - (1) detailing the findings and activities of the **department**, the division, and the advisory board; and
 - (2) including any recommendations developed by the board. under this chapter.

A report under this subsection must in an electronic format under IC 5-14-6.

SECTION 73. IC 20-28-2-8, AS ADDED BY HEA 1288-2005, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: (a) The board department may, subject to approval by the budget agency, do the following to administer the responsibilities of the department described in section 2 of this chapter:

- (1) Establish advisory committees the board department determines necessary.
- (2) Expend funds made available to the board department according to policies established by the budget agency.
- (b) The board department shall comply with the requirements for submitting a budget request to the budget agency as set forth in IC 4-12-1, for funds to administer the responsibilities of the department described in section 2 of this chapter.

SECTION 74. IC 20-28-2-9, AS ADDED BY HEA 1288-2005, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 9. IC 4-21.5 applies to orders issued by the board. department under this chapter.

SECTION 75. IC 20-28-2-10 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 10. There is established the professional standards fund to be administered by the department. The fund consists of fees collected under this chapter. Money in the fund does not revert to the state general fund at the end of a state fiscal year.

SECTION 76. IC 20-28-3-1, AS ADDED BY HEA 1288-2005, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1. (a) The board department shall:

- (1) arrange a statewide system of professional instruction for teacher training; education;
- (2) accredit and inspect teacher training education schools and departments that comply with the rules of the board; department;
- (3) recommend and approve courses for the training education of particular kinds of teachers in accredited schools and

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departments; and

- (4) specify the types of licenses for graduates of approved courses.
- (b) The department shall work with teacher education schools and departments to develop a system of teacher education that ensures individuals who graduate from the schools and departments are able to meet the highest professional standards.

SECTION 77. IC 20-28-3-2, AS ADDED BY HEA 1288-2005, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,2005]: Sec. 2. (a) An accredited school or department may use the word "accredited" in advertising approved courses and the types of teachers the school or department is accredited to prepare. An accredited school or department may enter into the student teaching agreements specified in IC 20-26-5.

(b) The **board department** shall revoke the right to use the word "accredited" when an accredited school or department refuses to abide by the **advisory** board's rules.

SECTION 78. IC 20-28-3-3, AS ADDED BY HEA 1288-2005, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 3. (a) The board, in consultation with the department, shall develop guidelines for use by accredited teacher training education institutions and departments in preparing individuals to teach in various environments.

(b) The guidelines developed under subsection (a) must include courses and methods that assist individuals in developing cultural competency (as defined in IC 20-31-2-5).

SECTION 79. IC 20-28-4-3, AS ADDED BY HEA 1288-2005, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 3. Subject to the requirements of this chapter, the board department shall develop and administer the program. The board department shall determine the details of the program that are not included in this chapter.

SECTION 80. IC 20-28-4-4, AS ADDED BY HEA 1288-2005, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 4. Each accredited teacher training education school and department in Indiana shall establish a course of study that constitutes the higher education component of the program. The higher education component required under this section must comply with the following requirements:

- (1) Include the following study requirements:
 - (A) For a program participant who seeks to obtain a license to teach in grades 6 through 12, up to eighteen (18) credit hours

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of study or the equivalent that prepare a program participant to meet Indiana standards for teaching in the subject areas corresponding to the area in which the program participant has met the education requirements under section 5 of this chapter, unless the program participant demonstrates that the program participant requires fewer credit hours of study to meet Indiana standards for teaching.

- (B) For a program participant who seeks to obtain a license to teach in kindergarten through grade 5, twenty-four (24) credit hours of study or the equivalent, which must include at least six (6) credit hours in teaching reading, that prepare a program participant to meet Indiana standards for teaching, unless the program participant demonstrates that the program participant requires fewer credit hours of study to meet Indiana standards for teaching.
- (2) Focus on the communication of knowledge to students.
- (3) Include suitable field or classroom experiences if the program participant does not have teaching experience.

SECTION 81. IC 20-28-4-6, AS ADDED BY HEA 1288-2005, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 6. The board department shall grant an initial standard license to a program participant who does the following:

- (1) Successfully completes the higher education component of the program.
- (2) Demonstrates proficiency through a written examination in:
 - (A) basic reading, writing, and mathematics;
 - (B) pedagogy; and
 - (C) knowledge of the areas in which the program participant is required to have a license to teach;

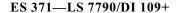
under IC 20-28-5-12(b).

- (3) Participates successfully in a beginning teacher internship program under IC 20-6.1-8 (repealed) that includes implementation in a classroom of the teaching skills learned in the higher education component of the program.
- (4) Receives a successful assessment of teaching skills upon completion of the beginning teacher internship program under subdivision (3) from the administrator of the school where the beginning teacher internship program takes place, or, if the program participant does not receive a successful assessment, participates continues participating in the beginning teacher internship program. for a second year as provided under IC 20-6.1-8-13 (repealed). The appeals provisions of











IC 20-6.1-8-14 (repealed) apply to an assessment under this subdivision.

SECTION 82. IC 20-28-4-7, AS ADDED BY HEA 1288-2005, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 7. This section applies to a program participant who has a degree described in section 5 of this chapter that does not include all the content areas of a standard license issued by the board. department. The board department shall issue an initial standard license that is restricted to only the content areas in which the program participant has a degree unless the program participant demonstrates sufficient knowledge in other content areas of the license.

SECTION 83. IC 20-28-4-10, AS ADDED BY HEA 1288-2005, SECTION12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 10. (a) The **advisory** board may adopt rules under IC 4-22-2 to administer this chapter.

- (b) Rules adopted under this section must include a requirement that accredited teacher training education schools and departments in Indiana submit an annual report to the board department of the number of individuals who:
 - (1) enroll in; and
 - (2) complete;

the program.

SECTION 84. IC 20-28-5-1, AS ADDED BY HEA 1288-2005, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1. The board department is responsible for the licensing of teachers.

SECTION 85. IC 20-28-5-2, AS ADDED BY HEA 1288-2005, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 2. The **advisory** board may adopt rules for:

- (1) the issuance of a substitute teacher's license; and
- (2) the employment of substitute teacher licensees.

An individual may not serve as a substitute teacher without a license issued by the board. department.

SECTION 86. IC 20-28-5-3, AS ADDED BY HEA 1288-2005, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 3. (a) The board department shall designate:

- (1) the grade point average required for each type of license; and
- (2) the types of licenses to which the teachers' minimum salary laws apply, including nonrenewable one (1) year limited licenses.
- (b) The board department shall determine details of licensing not provided in this chapter, including requirements regarding the following:

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- (1) The conversion of one (1) type of license into another.
- (2) The accreditation of teacher training education schools and departments.
- (3) The exchange and renewal of licenses.
- (4) The endorsement of another state's license.
- (5) The acceptance of credentials from teacher training education institutions of another state.
- (6) The academic and professional preparation for each type of license.
- (7) The granting of permission to teach a high school subject area related to the subject area for which the teacher holds a license.
- (8) The issuance of licenses on credentials.
- (9) The type of license required for each school position.
- (10) The size requirements for an elementary school requiring a licensed principal.
- (11) Any other related matters.

The board department shall establish at least one (1) system for renewing a teaching license that does not require a graduate degree.

- (c) The **board department** shall periodically publish bulletins regarding:
 - (1) the details described in subsection (b);
 - (2) information on the types of licenses issued;
 - (3) the rules governing the issuance of each type of license; and
 - (4) other similar matters.

SECTION 87. IC 20-28-5-3.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 3.5. Beginning July 1, 2005, the department, before issuing an initial teaching license at any grade level to an undergraduate applicant for an initial teaching license, shall require the applicant to show evidence that the applicant meets one (1) of the following criteria:

- (1) Has successfully completed a course approved by the board in:
 - (A) cardiopulmonary resuscitation that includes a test demonstration on a mannequin;
 - (B) removing a foreign body causing an obstruction in an airway; and
 - (C) the Heimlich maneuver.
- (2) Holds a valid certification in the procedures described in subdivision (1) issued by:
 - (A) the American Red Cross;
 - (B) the American Heart Association; or









- (C) a comparable organization or institution approved by the board.
- (3) Has physical limitations that make it impracticable for the applicant to complete the course and certification required under subdivisions (1) and (2).

SECTION 88. IC 20-28-5-7, AS ADDED BY HEA 1288-2005, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 7. On the written recommendation of the state superintendent, the board department may suspend or revoke a license for:

- (1) immorality;
- (2) misconduct in office;
- (3) incompetency; or
- (4) willful neglect of duty.

For each suspension or revocation, the board department shall comply with IC 4-21.5-3.

SECTION 89. IC 20-28-5-8, AS ADDED BY HEA 1288-2005, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 8. (a) This section applies when a prosecuting attorney knows that a licensed employee of a public school or a nonpublic school has been convicted of an offense listed in subsection (c). The prosecuting attorney shall immediately give written notice of the conviction to the following:

- (1) The state superintendent.
- (2) Except as provided in subdivision (3), the superintendent of the school corporation that employs the licensed employee or the equivalent authority if a nonpublic school employs the licensed employee.
- (3) The presiding officer of the governing body of the school corporation that employs the licensed employee, if the convicted licensed employee is the superintendent of the school corporation.
- (b) The superintendent of a school corporation, presiding officer of the governing body, or equivalent authority for a nonpublic school shall immediately notify the state superintendent when the individual knows that a current or former licensed employee of the public school or nonpublic school has been convicted of an offense listed in subsection (c).
- (c) The board, department, after holding a hearing on the matter, shall permanently revoke the license of a person who is known by the board department to have been convicted of any of the following felonies:
 - (1) Kidnapping (IC 35-42-3-2), if the victim is less than eighteen







- (18) years of age.
- (2) Criminal confinement (IC 35-42-3-3), if the victim is less than eighteen (18) years of age.
- (3) Rape (IC 35-42-4-1), if the victim is less than eighteen (18) years of age.
- (4) Criminal deviate conduct (IC 35-42-4-2), if the victim is less than eighteen (18) years of age.
- (5) Child molesting (IC 35-42-4-3).
- (6) Child exploitation (IC 35-42-4-4(b)).
- (7) Vicarious sexual gratification (IC 35-42-4-5).
- (8) Child solicitation (IC 35-42-4-6).
- (9) Child seduction (IC 35-42-4-7).
- (10) Sexual misconduct with a minor (IC 35-42-4-9).
- (11) Incest (IC 35-46-1-3), if the victim is less than eighteen (18) years of age.
- (12) Dealing in or manufacturing cocaine, a narcotic drug, or methamphetamine (IC 35-48-4-1).
- (13) Dealing in a schedule I, II, or III controlled substance (IC 35-48-4-2).
- (14) Dealing in a schedule IV controlled substance (IC 35-48-4-3).
- (15) Dealing in a schedule V controlled substance (IC 35-48-4-4).
- (16) Dealing in a counterfeit substance (IC 35-48-4-5).
- (17) Dealing in marijuana, hash oil, or hashish (IC 35-48-4-10(b)).
- (d) A license may be suspended by the state superintendent as specified in IC 20-28-7-7.

SECTION 90. IC 20-28-5-9, AS ADDED BY HEA 1288-2005, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 9. (a) An applicant must do the following:

- (1) Submit a request to the Indiana central repository for limited criminal history information under IC 10-13-3.
- (2) Obtain a copy of the limited criminal history for the applicant from the repository's records.
- (3) Submit to the board department the limited criminal history for the applicant.
- (4) Submit to the board department a document verifying a disposition that does not appear on the limited criminal history for the applicant.
- (b) The **board department** may deny the issuance of a license or certificate to an applicant who is convicted of an offense for which the individual's license may be revoked or suspended under this chapter.







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- (c) The board department must use the information obtained under this section in accordance with IC 10-13-3-29.
- (d) An applicant is responsible for all costs associated with meeting the requirements of this section.

SECTION 91. IC 20-28-5-10, AS ADDED BY HEA 1288-2005, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 10. (a) The board department shall keep a record of:

- (1) all licenses issued;
- (2) all licenses in force; and
- (3) the academic preparation, professional preparation, and teaching experience of each applicant for a license or a license renewal.
- (b) A superintendent of a school corporation shall register and keep a record of the following for each licensed teacher employed by the school corporation:
 - (1) The type of license held by the teacher.
 - (2) The teacher's date of first employment.
 - (3) The teacher's annual or monthly salary.

SECTION 92. IC 20-28-5-11, AS ADDED BY HEA 1288-2005, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 11. (a) This section does not apply to an individual who, on September 1, 1985, has earned more than the equivalent of twelve (12) semester hours of graduate credit.

- (b) The board department may not renew the junior high/middle school or secondary education license of a teacher on the basis of the teacher obtaining a graduate degree unless the teacher completes at least the equivalent of eighteen (18) semester hours beyond the teacher's undergraduate degree in any combination of courses in the teacher's major, minor, primary, supporting, or endorsement areas. The semester hours may include graduate hours or undergraduate hours, or both, as determined by the board.
 - (c) The advisory board may:
 - (1) adopt rules under IC 4-22-2 to create exceptions to the requirements under subsection (b); and
 - (2) waive the requirements under subsection (b) on an individual basis.

SECTION 93. IC 20-28-5-12, AS ADDED BY HEA 1288-2005, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 12. (a) Subsection (b) does not apply to an individual who held an Indiana limited, reciprocal, or standard teaching license on June 30, 1985.

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- (b) The board department may not grant an initial standard license to an individual unless the individual has demonstrated proficiency in the following areas on a written examination or through other procedures prescribed by the board: department:
 - (1) Basic reading, writing, and mathematics.
 - (2) Pedagogy.
 - (3) Knowledge of the areas in which the individual is required to have a license to teach.
 - (4) If the individual is seeking to be licensed as an elementary school teacher, comprehensive reading instruction skills, including:
 - (A) phonemic awareness; and
 - (B) phonics instruction.
- (c) Each individual who completes a written examination described in subsection (b) must receive the following from the examination's scorer:
 - (1) The individual's total test score.
 - (2) Subscores for each area tested.
 - (3) Itemized descriptions of the areas in which the individual was found to be deficient.
- (d) This subsection applies to an individual who has attempted the written examination described in subsection (b) at least two (2) times and has failed to demonstrate proficiency in a test area by not more than two (2) points. An individual to whom this subsection applies may demonstrate proficiency in a test area described in this subsection by having the teacher education school or department in which the individual is a student certify to the department that, based upon the individual's coursework, grades, fieldwork, and student teaching, and evaluations by the individual's instructors, the individual possesses the content knowledge assessed in the written examination.
- (c) (e) An individual's license examination score may not be disclosed by the board department without the individual's consent unless specifically required by state or federal statute or court order.
- (d) (f) The advisory board shall adopt rules under IC 4-22-2 to do the following:
 - (1) Adopt, validate, and implement the examination or other procedures required by subsection (b).
 - (2) Establish examination scores indicating proficiency.
 - (3) Otherwise carry out the purposes of this section.
- (e) (g) The board shall adopt rules under IC 4-22-2 establishing the conditions under which the requirements of this section may be waived









for individuals an individual holding a valid teachers' licenses teacher's license issued by another state.

SECTION 94. IC 20-28-5-14, AS ADDED BY HEA 1288-2005, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 14. If the board department is notified by the department of state revenue that an individual is on the most recent tax warrant list, the board department may not grant an initial standard license to the individual until:

- (1) the individual provides the board department with a statement from the department of state revenue indicating that the individual's delinquent tax liability has been satisfied; or
- (2) the **board department** receives a notice from the commissioner of the department of state revenue under IC 6-8.1-8-2(k).

SECTION 95. IC 20-28-9-1, AS ADDED BY HEA 1288-2005, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1. (a) A teacher's minimum salary each school year must be computed based on the teacher's training, education, experience, and degree completed as of the teacher's first day of service.

- (b) If a teacher is licensed by the board department on:
 - (1) the first day of service in the current school year; or
 - (2) another date as agreed by the school employer and the exclusive representative under IC 20-29;

the teacher's minimum salary is computed under section 2 of this chapter.

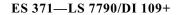
SECTION 96. IC 20-28-9-2, AS ADDED BY HEA 1288-2005, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 2. A teacher's minimum salary for service during a nine (9) month school term is computed as follows:

- (1) For a teacher who has completed four (4) years or one hundred forty-four (144) weeks of professional training, education, five thousand two hundred dollars (\$5,200), plus:
 - (A) an additional increment of one hundred fifty dollars (\$150) after each of the first ten (10) years of experience; and
 - (B) an additional increment of two hundred fifty dollars (\$250) after each of the following years of experience:
 - (i) The fifteenth.
 - (ii) The twentieth.
- (2) For a teacher who has completed five (5) years or one hundred eighty (180) weeks of professional training, education, five thousand five hundred dollars (\$5,500), plus:











- (A) an additional increment of one hundred fifty dollars (\$150) after each of the first eighteen (18) years of experience; and (B) an additional increment of three hundred dollars (\$300) after each of the following years of experience:
 - (i) The nineteenth.
 - (ii) The twentieth.
 - (iii) The twenty-second.
 - (iv)The twenty-fourth.
 - (v)The twenty-sixth.
 - (vi) The thirtieth.
- (3) For a teacher who has completed less than four (4) years of professional training, education, four thousand seven hundred dollars (\$4,700), plus an additional increment of one hundred twenty dollars (\$120) after each of the first ten (10) years of experience.

SECTION 97. IC 20-28-9-4, AS ADDED BY HEA 1288-2005, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 4. (a) The board department shall require each teacher to hold:

- (1) a bachelor's degree from an accredited teacher training **education** institution to qualify for the first time for classification under section 2(1) of this chapter; and
- (2) a master's degree to qualify for the first time for classification under section 2(2) of this chapter.
- (b) A teacher may not receive credit for five (5) years of training **education** under section 2(2) of this chapter unless the teacher has completed at least a bachelor's degree.

SECTION 98. IC 20-28-9-7, AS ADDED BY HEA 1288-2005, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 7. (a) An individual who:

- (1) holds:
 - (A) a professional license;
 - (B) a provisional license;
 - (C) a limited license; or
 - (D) an equivalent license issued by the board; department; and
- (2) serves as an occasional substitute teacher; shall be compensated on the pay schedule for substitutes of the school corporation the individual serves.
 - (b) An individual who:
 - (1) holds a:
 - (A) professional license; or

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- (B) provisional license; and
- (2) serves as a substitute teacher in the same teaching position for more than fifteen (15) consecutive school days;

shall be compensated on the regular pay schedule for teachers of the school corporation the individual serves.

SECTION 99. IC 20-28-12-3, AS ADDED BY HEA 1288-2005, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 3. An individual who applies for an endorsement as an independent practice school psychologist must meet the following requirements:

- (1) Be licensed as a school psychologist by the board. department.
- (2) Be employed by a:
 - (A) developmental center;
 - (B) state hospital;
 - (C) public or private hospital;
 - (D) mental health center;
 - (E) rehabilitation center;
 - (F) private school; or
 - (G) public school;
- at least thirty (30) hours per week during the contract period unless the individual is retired from full-time or part-time employment as a school psychologist or the individual has a medical condition or physical disability that restricts the mobility required for employment in a school setting.
- (3) Furnish satisfactory evidence to the board department that the applicant has received at least a sixty (60) semester hour master's or specialist degree in school psychology from:
 - (A) a recognized institution of higher learning; or
 - (B) an educational institution not located in the United States that has a program of study that meets the standards of the board. department.
- (4) Furnish satisfactory evidence to the board department that the applicant has demonstrated graduate level competency through the successful completion of course work and a practicum in the areas of assessment and counseling.
- (5) Furnish satisfactory evidence to the board department that the applicant has at least one thousand two hundred (1,200) hours of school psychology experience beyond the master's degree level. At least six hundred (600) hours must be in a school setting under the supervision of any of the following:
 - (A) A physician licensed under IC 25-22.5.

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- (B) A psychologist licensed under IC 25-33.
- (C) A school psychologist endorsed under this chapter.
- (6) Furnish satisfactory evidence to the board department that the applicant has completed, in addition to the requirements in subdivision (5), at least four hundred (400) hours of supervised experience in identification and referral of mental and behavioral disorders, including at least one (1) hour each week of direct personal supervision by a:
 - (A) physician licensed under IC 25-22.5;
 - (B) psychologist licensed under IC 25-33; or
- (C) school psychologist endorsed under this chapter; with at least ten (10) hours of direct personal supervision.
- (7) Furnish satisfactory evidence to the board department that the applicant has completed, in addition to the requirements of subdivisions (5) and (6), fifty-two (52) hours of supervision with a physician licensed under IC 25-22.5, a psychologist licensed under IC 25-33, or a school psychologist endorsed under this chapter that meets the following requirements:
 - (A) The fifty-two (52) hours must be completed within at least twenty-four (24) consecutive months but not less than twelve (12) months.
 - (B) Not more than one (1) hour of supervision may be included in the total for each week.
 - (C) At least nine hundred (900) hours of direct client contact must take place during the total period under clause (A).
- (8) Furnish satisfactory evidence to the board department that the applicant does not have a conviction for a crime that has a direct bearing on the applicant's ability to practice competently.
- (9) Furnish satisfactory evidence to the board department that the applicant has not been the subject of a disciplinary action by a licensing or certification agency of any jurisdiction on the grounds that the applicant was not able to practice as a school psychologist without endangering the public.
- (10) Pass the examination provided by the board. department. SECTION 100. IC 20-30-5-6, AS ADDED BY HEA 1288-2005, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 6. (a) This section applies only to public schools.
- (b) As used in this section, "good citizenship instruction" means integrating instruction into the current curriculum that stresses the nature and importance of the following:
 - (1) Being honest and truthful.
 - (2) Respecting authority.

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- (3) Respecting the property of others.
- (4) Always doing the student's personal best.
- (5) Not stealing.
- (6) Possessing the skills (including methods of conflict resolution) necessary to live peaceably in society and not resorting to violence to settle disputes.
- (7) Taking personal responsibility for obligations to family and community.
- (8) Taking personal responsibility for earning a livelihood.
- (9) Treating others the way the student would want to be treated.
- (10) Respecting the national flag, the Constitution of the United States, and the Constitution of the State of Indiana.
- (11) Respecting the student's parents and home.
- (12) Respecting the student's self.
- (13) Respecting the rights of others to have their own views and religious beliefs.
- (c) The department shall:
 - (1) identify; and
 - (2) make available;

models of conflict resolution instruction to school corporations. The instruction may consist of a teacher training education program that applies the techniques to the students in the classroom to assist school corporations in complying with this section.

SECTION 101. IC 20-30-5-14, AS ADDED BY HEA 1288-2005, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 14. (a) To:

- (1) educate students on the importance of their future career choices;
- (2) prepare students for the realities inherent in the work environment; and
- (3) instill in students work values that will enable them to succeed in their respective careers;

each school within a school corporation shall include in the school's curriculum for all students in grades 1 through 12 instruction concerning employment matters and work values.

- (b) Each school shall:
 - (1) integrate within the curriculum instruction that is; or
- (2) conduct activities or special events periodically that are; designed to foster overall career awareness and career development as described in subsection (a).
- (c) The department shall develop career awareness and career development models as described in subsection (d) to assist schools in













complying with this section.

- (d) The models described in this subsection must be developed in accordance with the following:
 - (1) For grades 1 through 5, career awareness models to introduce students to work values and basic employment concepts.
 - (2) For grades 6 through 8, initial career information models that focus on career choices as they relate to student interest and skills.
 - (3) For grades 9 through 10, career exploration models that offer students insight into future employment options.
 - (4) For grades 11 through 12, career preparation models that provide job or further education counseling, including the following:
 - (A) Initial job counseling, including the use of job service officers to provide school based assessment, information, and guidance on employment options and the rights of students as employees.
 - (B) Workplace orientation visits.
 - (C) On-the-job experience exercises.
- (e) The department, with assistance from the department of labor and the department of workforce development, shall:
 - (1) develop and make available teacher guides; and
 - (2) conduct seminars or other teacher training education activities;

to assist teachers in providing the instruction described in this section.

(f) The department shall, with assistance from the department of workforce development, design and implement innovative career preparation demonstration projects for students in at least grade 9.

SECTION 102. IC 20-30-7-8, AS ADDED BY HEA 1288-2005, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 8. Except as provided in section 9 of this chapter, an instructor for an educational program described in section 7 of this chapter must be:

- (1) licensed under IC 20-28; or
- (2) granted a substitute teacher's license by the professional standards board. department.

SECTION 103. IC 20-30-7-9, AS ADDED BY HEA 1288-2005, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 9. If the superintendent of the school corporation that is the local education agency determines that:

- (1) a qualified licensed teacher is not available from the entities entering into an agreement under section 5 of this chapter; and
- (2) a qualified postsecondary instructor is available;











to instruct in an educational program described in section 7 of this chapter, the superintendent may request the professional standards board department to issue a substitute teacher's license to the instructor of an educational program described in section 7 of this chapter.

SECTION 104. IC 20-30-7-10, AS ADDED BY HEA 1288-2005, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 10. If the professional standards board department finds that a qualified licensed teacher is not available from the entities entering into an agreement under section 5 of this chapter to instruct in an educational program described in section 7 of this chapter, the professional standards board department may issue a substitute teacher's license to the instructor of an educational program described in section 7 of this chapter.

SECTION 105. IC 20-31-6-1, AS ADDED BY HEA 1288-2005, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1. The department in consultation with the professional standards board, shall develop and make available to school corporations and nonpublic schools materials that assist teachers, administrators, and staff in a school in developing cultural competency for use in providing professional and staff development programs.

SECTION 106. IC 20-32-5-1, AS ADDED BY HEA 1288-2005, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1. The purposes of the ISTEP program developed under this chapter are as follows:

- (1) To assess the strengths and weaknesses of school performance.
- (2) To assess the effects of state and local educational programs.
- (3) To compare achievement of Indiana students to achievement of students on a national basis.
- (4) To provide a source of information for state and local decision makers with regard to educational matters, including the following:
 - (A) The overall academic progress of students.
 - (B) The need for new or revised educational programs.
 - (C) The need to terminate existing educational programs.
 - (D) Student readiness for postsecondary school experiences.
 - (E) Overall curriculum development and revision activities.
 - (F) Identifying students who may need remediation under IC 20-32-8.
 - (G) Diagnosing individual student needs.

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(H) Teacher training education and staff development activities.

SECTION 107. IC 20-32-5-4, AS ADDED BY HEA 1288-2005, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 4. (a) The state board shall:

- (1) authorize the development and implementation of the ISTEP program; and
- (2) determine the date, which for school years beginning after June 30, 2006, must be during the first two (2) weeks that end in May of the school year, on which the statewide testing is administered in each school corporation.
- (b) The state superintendent is responsible for the overall development, implementation, and monitoring of the ISTEP program.
- (c) The department shall prepare detailed design specifications for the ISTEP program that must do the following:
 - (1) Take into account the academic standards adopted under IC 20-31-3.
 - (2) Include testing of students' higher level cognitive thinking in each subject area tested.
 - (3) Provide for a pilot test for reliability and validation to be given during the first two (2) weeks that end in May 2006, and for the following schedule concerning the administration, scoring, and reporting of results, for school years beginning after June 30, 2006:
 - (A) Test administration conducted during the first two (2) weeks that end in May.
 - (B) Test scoring completed before June 16.
 - (C) Test results reported to teachers and parents before July 1.
 - (D) Yearly progress reported to parents and the federal government before July 16.

SECTION 108. IC 20-32-5-4.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4.5. (a) Before August 2, 2005, the department shall develop a ten (10) year plan for student diagnostic and summative achievement assessment that must include a system that:

- (1) has as its purposes to:
 - (A) provide teachers with diagnostic assessment tools during the school year to determine whether each student is learning below, at, or above the academic standards for that grade and subject so that the teacher may direct

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instruction accordingly;

- (B) annually assess the progress of each student under the academic standards toward the knowledge and skills necessary for success in postsecondary education, workplace education, and lifelong learning; and
- (C) confirm before graduation that each student has the knowledge and skills necessary for success in postsecondary education, workplace education, and lifelong learning.

(2) uses:

- (A) a diagnostic assessment tool for language arts (including English), mathematics, science, and social studies in kindergarten through at least grade 8 to support on-line, intra-year diagnostic assessments of individual or collective students by teachers to assist efforts to accelerate learning by students performing below expectations and support further learning by students performing at or above expectations;
- (B) annual on-line end of the school year assessments for grades 3 through 8 that assess whether students are proficient in the subject matter of the grades in language arts (including English), mathematics, science, and social studies, as determined by the academic standards applicable to the subjects and grades;
- (C) on-line end of course assessments in grades 9 through 12 that assess whether students are proficient in the subject matter of the courses in language arts (including English), mathematics, science, and social studies, as determined by the academic standards applicable to the subjects and courses;
- (D) a new graduation examination, effective at least for the students expected to graduate at the end of the school year beginning July 1, 2010, and ending June 30, 2011, that confirms that the student has demonstrated the knowledge and skills necessary for success in postsecondary education, workplace education, and lifelong learning; and (E) a separate written essay examination for each grade that must be reported as a separate part of the assessment results and that must be used independently by teachers and schools to determine whether the student is writing at a level commensurate with the needs and expectations of learning and communicating at that grade level;









- (3) uses on-line testing to provide ease of use and timely return of results;
- (4) supports an annual cycle of learning, assessment, and feedback that:
 - (A) provides on-line question banks and means for diagnostic assessments for teachers to use during the school year to assess whether students are performing below, at, or above expectations for each subject and grade;
 - (B) administers annual student assessments and graduate examinations during the first two (2) weeks that end in May each year;
 - (C) reports results to teachers, parents, communities, and the federal government before July 16 each year; and
 - (D) provides for a common method and means by which teachers shall grade the independent written essay.
- (b) Before October 1, 2005, the department, the office of management and budget, and the attorney general shall develop specifications and a process for a long term contract with an assessment provider to implement the plan developed under this section. The department shall consult with postsecondary education and workplace employers in the state to ensure that the specifications comply with subsection (a)(1)(C). The department shall consult with superintendents in the state to ensure that the specifications comply with subsection (a)(2)(A). The specifications must comply with this section. The initial specifications must provide for pilot assessments to be given in the period during the first two (2) weeks that end in May 1, 2006, and annual assessments to be given during the first two (2) weeks of May 2007. The process must solicit interest from national and international assessment companies, put out a request for proposals, and solicit proposals for a plan to transition to the assessment system provided for in this section and manage the system, subject to the specifications, until the school year beginning July 1, 2016, and ending June 30, 2017, notwithstanding any other law that limits the maximum term of state contracts. Proposals received shall be reviewed jointly by the department and the office of management and budget, which shall jointly determine the successful bidder, subject to the approval of the attorney general for form and legality of the bid process. The bid process must be completed before January 1, 2006.
 - (c) If a successful bidder is selected, the pilot test contemplated









by section 4(c)(3) of this chapter for the period during the first two (2) weeks that end in May 2006, shall be replaced by the pilot test contemplated by this section.

SECTION 109. IC 20-33-2-6, AS ADDED BY HEA 1288-2005, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 6. (a) A student is bound by the requirements of this chapter from the earlier of the date on which the student officially enrolls in a school or, except as provided in section 8 of this chapter, the beginning of the fall school term for the school year in which the student becomes seven (7) years of age until the date on which the student meets one (1) of the following conditions, whichever occurs first:

- (1) Graduates.
- (2) Becomes eighteen (18) years of age. or
- (3) Becomes sixteen (16) years of age but is less than eighteen (18) years of age and **meets** the requirements under section 9 section 9.5 or 12.5 of this chapter, concerning an exit interview are met enabling the student to withdraw from school before graduation.

whichever occurs first.

- (b) A student who:
 - (1) enrolls in school before the fall school term for the school year in which the student becomes seven (7) years of age; and
 - (2) is withdrawn from school before the school year described in subdivision (1) occurs;

is not subject to the requirements of this chapter until the student is reenrolled as required in subsection (a). This chapter shall not be construed to require that a student complete grade 1 before the student becomes eight (8) years of age.

SECTION 110. IC 20-33-2-9, AS ADDED BY HEA 1288-2005, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 9. (a) The governing body of each school corporation shall designate the appropriate employees of the school corporation to conduct the exit interviews for students described in section 6(a)(3) of this chapter. Each exit interview must be personally attended by:

- (1) the student's parent;
- (2) the student;
- (3) each designated appropriate school employee; and
- (4) the student's principal.
- (b) A student who is at least sixteen (16) years of age but less than eighteen (18) years of age is bound by the requirements of compulsory

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school attendance and may not withdraw from school before graduation unless:

- (1) the student; the student's parent, and the principal agree to the withdrawal: and
- (2) at the exit interview, the student provides written acknowledgment of the withdrawal and the:
 - (A) student's parent; and
 - (B) school principal;

each provide written consent for the student to withdraw from school.

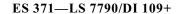
SECTION 111. IC 20-33-2-9.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 9.5. (a) This section applies to an individual:**

- (1) who:
 - (A) attends or last attended a public or nonpublic accredited school;
 - (B) is at least sixteen (16) years of age but less than eighteen (18) years of age; and
 - (C) has not completed the requirements for graduation;
- (2) who:
 - (A) wishes to withdraw from school before graduation;
 - (B) fails to return at the beginning of a semester; or
 - (C) stops attending school during a semester; and
- (3) who has no record of transfer to another school.
- (b) An individual to whom this section applies may withdraw from school only if all the following conditions are met:
 - (1) An exit interview is conducted.
 - (2) The individual's parent consents to the withdrawal.
 - (3) The school principal approves of the withdrawal.
 - (4) The withdrawal is because of financial hardship and the individual is employed to support the individual's family or dependents.
 - (5) The school principal provides to the student and the student's parent a copy of statistics compiled by the department concerning the likely consequences of life without a high school diploma.
 - (6) The school principal advises the student and the student's parent that a driver's license or learner's permit may be revoked and may not be issued to the student upon the student's withdrawal from school, for a reason other than financial hardship.











- (7) The school principal advises the student and the student's parent that an employment certificate may be revoked and may not be issued to the student upon the student's withdrawal from school, for a reason other than financial hardship.
- (c) For purposes of this section, the following must be in written form:
 - (1) An individual's request to withdraw from school.
 - (2) A parent's consent to a withdrawal.
 - (3) A principal's consent to a withdrawal.
- (d) If the individual's principal does not consent to the individual's withdrawal under this section, the individual's parent may appeal the denial of consent to the governing body of the public or nonpublic accredited school that the individual last attended.
- (e) Each public school, including each school corporation and each charter school (as defined in IC 20-24-1-4), and each nonpublic accredited school shall provide an annual report to the department setting forth the following information:
 - (1) The total number of individuals:
 - (A) who withdrew from school under this section; and
 - (B) who either:
 - (i) failed to return to school at the beginning of a semester; or
 - (ii) stopped attending school during a semester; and for whom there is no record of transfer to another school.
 - (2) The number of individuals who withdrew from school for the reason set forth in subsection (b)(4).
 - (f) If an individual to which this section applies:
 - (1) has not received consent to withdraw from school under this section; and
 - (2) fails to return to school at the beginning of a semester or during the semester;

the principal of the school that the individual last attended shall deliver by certified mail or personal delivery to the bureau of child labor a record of the individual's failure to return to school so that the bureau of child labor revokes any employment certificates issued to the individual and does not issue any additional employment certificates to the individual. For purposes of IC 20-33-3-13, the individual shall be considered a dropout.

(g) At the same time that a school principal delivers the record











under subsection (f), the principal shall deliver by certified mail or personal delivery to the bureau of motor vehicles a record of the individual's failure to return to school so that the bureau of motor vehicles revokes any driver's license or learner's permit issued to the individual and does not issue any additional driver's licenses or learner's permits to the individual before the individual is at least eighteen (18) years of age. For purposes of IC 9-24-2-1, the individual shall be considered a dropout.

(h) If:

- (1) a principal has delivered the record required under subsection (f) or subsection (g), or both; and
- (2) the school subsequently gives consent to the individual to withdraw from school under this section,

the principal of the school shall send a notice of withdrawal to the bureau of child labor and the bureau of motor vehicles by certified mail or personal delivery. For purposes of IC 20-33-3-13 and IC 9-24-2-1, the individual shall no longer be considered a dropout.

SECTION 112. IC 20-33-2-11, AS ADDED BY HEA 1288-2005, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 11. (a) Notwithstanding IC 9-24 concerning the minimum requirements for qualifying for the issuance of an operator's license or a learner's permit, and subject to subsections (c) through (e), an individual who is:

- (1) at least thirteen (13) years of age but less than fifteen (15) years of age;
- (2) a habitual truant under the definition of habitual truant established under subsection (b); and
- (3) identified in the information submitted to the bureau of motor vehicles under subsection (f);

may not be issued an operator's license or a learner's permit to drive a motor vehicle under IC 9-24 until the individual is at least eighteen (18) years of age.

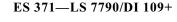
- (b) Each governing body shall establish and include as part of the written copy of its discipline rules described in IC 20-33-8-12:
 - (1) a definition of a child who is designated as a habitual truant, who must be defined at a minimum as a child who is chronically absent with more than ten (10) unexcused absences from school during one (1) school year;
 - (2) the procedures under which subsection (a) will be administered; and
 - (3) all other pertinent matters related to this action.
 - (c) An individual described in subsection (a) is entitled to the













procedure described in IC 20-33-8-19.

- (d) An individual described in subsection (a) who is at least thirteen (13) years of age and less than eighteen (18) years of age is entitled to a periodic review of the individual's attendance record in school to determine whether the prohibition described in subsection (a) shall continue. The periodic reviews may not be conducted less than one (1) time each school year.
- (e) Upon review, the governing body may determine that the individual's attendance record has improved to the degree that the individual may become eligible to be issued an operator's license or a learner's permit.
 - (f) Before:
 - (1) February 1; and
 - (2) October 1;

of each year the governing body of the school corporation shall submit to the bureau of motor vehicles the pertinent information concerning an individual's ineligibility under subsection (a) to be issued an operator's license or a learner's permit.

(g) The department shall develop guidelines concerning criteria used in defining a habitual truant that may be considered by a governing body in complying with subsection (b).

SECTION 113. IC 20-33-2-12.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 12.5 (a)This section applies to an individual:**

- (1) who:
 - (A) attends or last attended a nonpublic nonaccredited school:
 - (B) is at least sixteen (16) years of age but less than eighteen (18) years of age; and
 - (C) has not completed the requirements for graduation; and
- (2) who:
 - (A) wishes to withdraw from school before graduation;
 - (B) fails to return at the beginning of a semester; or
 - (C) stops attending school during a semester.
- (b) An individual to whom this section applies may withdraw from school only if the individual's principal and parent provide written consent.

SECTION 114. IC 20-33-2-41, AS ADDED BY HEA 1288-2005, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 41. With the exception of ex officio attendance

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officers, an individual may not hold the position of attendance officer unless the individual has complied with all standards of the professional standards board department and has been properly licensed by that body. the department.

SECTION 115. IC 20-33-3-13, AS ADDED BY HEA 1288-2005, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 13. (a) **Except as provided in subsection (b),** upon presentation to the issuing officer of the documents required by section 10 of this chapter, an employment certificate shall be issued immediately to the child. However, an issuing officer may deny a certificate to a child:

- (1) whose attendance is not in good standing; or
- (2) whose academic performance does not meet the school corporation's standard.
- (b) An employment certificate may not be issued to a student who meets any of the following conditions:
 - (1) Is a habitual truant under IC 20-33-2-11.
 - (2) Is under at least a second suspension from school for the school year under IC 20-33-8-14 or IC 20-33-8-15.
 - (3) Is under an expulsion from school under IC 20-33-8-14, IC 20-33-8-15, or IC 20-33-8-16.
 - (4) Is considered a dropout under IC 20-33-2-9.5.
 - (5) Does not meet the academic performance standards of the school corporation.
- (b) (c) Not more than five (5) days after issuing an employment certificate, the issuing officer shall send a copy of the employment certificate to the department of labor. The issuing officer shall keep a record in the issuing officer's office of each employment certificate issued.
- (c) (d) A student may appeal the denial of a certificate under subsection (a) to the principal.
- (e) At least five (5) days before holding an exit interview under IC 20-33-2-9.5, the school corporation shall give notice by certified mail or personal delivery to the student or the student's parent of the following:
 - (1) That the exit interview will include a hearing to determine if the reason for the student's withdrawal is financial hardship.
 - (2) If the principal determines that the reason for the student's withdrawal is not financial hardship:
 - (A) the student and the student's parent will receive a copy of the determination; and

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(B) the student's name will be submitted to the bureau of child labor by the student's school principal for the bureau of child labor's use in denying or invalidating an employment certificate under this section.".

Page 39, line 25, delete "IC 20-1-1.1-2." and insert "IC 20-19-3-1.". Page 39, delete lines 26 through 42.

Delete pages 40 through 41.

Page 42, delete lines 1 through 7, begin a new paragraph and insert: "SECTION 117. IC 25-33-1-3, AS AMENDED BY HEA 1288-2005, SECTION 196, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 3. (a) There is created a board to be known as the "state psychology board". The board shall consist of seven (7) members appointed by the governor. Six (6) of the board members shall be licensed under this article and shall have had at least five (5) years of experience as a professional psychologist prior to their appointment. The seventh member shall be appointed to represent the general public, must be a resident of this state, must never have been credentialed in a mental health profession, and must in no way be associated with the profession of psychology other than as a consumer. All members shall be appointed for a term of three (3) years. All members may serve until their successors are duly appointed and qualified. A vacancy occurring on the board shall be filled by the governor by appointment. The member so appointed shall serve for the unexpired term of the vacating member. Each member of the board is entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). Such a member is also entitled to reimbursement for traveling expenses and other expenses actually incurred in connection with the member's duties, as provided in the state travel policies and procedures established by the Indiana department of administration and approved by the state budget agency.

- (b) The members of the board shall organize by the election of a chairman and a vice chairman from among its membership. Such officers shall serve for a term of one (1) year. The board shall meet at least once in each calendar year and on such other occasions as it considers necessary and advisable. A meeting of the board may be called by its chairman or by a majority of the members on the board. Four (4) members of the board constitute a quorum. A majority of the quorum may transact business.
 - (c) The board is empowered to do the following:
 - (1) Establish reasonable application, examination, and renewal procedures and set fees for licensure under this article. However, no fee collected under this article shall, under any circumstances,









be refunded.

- (2) Adopt and enforce rules concerning assessment of costs in disciplinary proceedings before the board.
- (3) Establish examinations of applicants for licensure under this article and issue, deny, suspend, revoke, and renew licenses.
- (4) Subject to IC 25-1-7, investigate and conduct hearings, upon complaint against individuals licensed or not licensed under this article, concerning alleged violation of this article, under procedures conducted in accordance with IC 4-21.5.
- (5) Initiate the prosecution and enjoinder of any person violating this article.
- (6) Adopt rules which are necessary for the proper performance of its duties, in accordance with IC 4-22-2.
- (7) Establish a code of professional conduct.
- (d) The board shall adopt rules establishing standards for the competent practice of psychology.
- (e) All expenses incurred in the administration of this article shall be paid from the general fund upon appropriation being made in the manner provided by law for the making of such appropriations.
 - (f) The bureau shall do the following:
 - (1) Carry out the administrative functions of the board.
 - (2) Provide necessary personnel to carry out the duties of this
 - (3) Receive and account for all fees required under this article.
 - (4) Deposit fees collected with the treasurer of the state for deposit in the state general fund.
- (g) The board shall adopt rules under IC 4-22-2 to establish, maintain, and update a list of restricted psychology tests and instruments (as defined in section 14(b) of this chapter) containing those psychology tests and instruments that, because of their design or complexity, create a danger to the public by being improperly administered and interpreted by an individual other than:
 - (1) a psychologist licensed under IC 25-33-1-5.1;
 - (2) an appropriately trained mental health provider under the direct supervision of a health service provider endorsed under IC 25-33-1-5.1(c);
 - (3) a qualified physician licensed under IC 25-22.5;
 - (4) a school psychologist who holds a valid:
 - (A) license issued by the professional standards board department of education under IC 20-28-2; or
 - (B) endorsement under IC 20-28-12;

practicing within the scope of the school psychologist's license or



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endorsement; or

- (5) a minister, priest, rabbi, or other member of the clergy providing pastoral counseling or other assistance.
- (h) The board shall provide to:
 - (1) the social work certification and marriage and family therapists credentialing board; and
 - (2) any other interested party upon receiving the request of the interested party;

a list of the names of tests and instruments proposed for inclusion on the list of restricted psychological tests and instruments under subsection (g) at least sixty (60) days before publishing notice of intent under IC 4-22-2-3 to adopt a rule regarding restricted tests and instruments.

- (i) The social work certification and marriage and family therapists credentialing board and any other interested party that receives the list under subsection (h) may offer written comments or objections regarding a test or instrument proposed for inclusion on the list of restricted tests and instruments within sixty (60) days after receiving the list. If:
 - (1) the comments or objections provide evidence indicating that a proposed test or instrument does not meet the criteria established for restricted tests and instruments, the board may delete that test from the list of restricted tests; and
 - (2) the board determines that a proposed test or instrument meets the criteria for restriction after reviewing objections to the test or instrument, the board shall respond in writing to justify its decision to include the proposed test or instrument on the list of restricted tests and instruments.
- (j) This section may not be interpreted to prevent a licensed or certified health care professional from practicing within the scope of the health care professional's:
 - (1) license or certification; and
 - (2) training or credentials.".

Page 42, delete lines 8 through 42.

Page 43, delete lines 1 through 24, begin a new paragraph and insert:

"SECTION 118. IC 25-33-1-14, AS AMENDED BY HEA 1288-2005, SECTION 197, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 14. (a) This section does not apply to an individual who is:

(1) a member of a teaching faculty, at a public or private institution of higher learning for the purpose of teaching,











research, or the exchange or dissemination of information and ideas as an assigned duty of the institution;

- (2) a commissioned psychology officer in the regular United States armed services;
- (3) licensed by the professional standards board department of education (established by IC 20-28-2-1) IC 20-19-3-1) as a school psychologist and using the title "school psychologist" or "school psychometrist" as an employee of a school corporation; or
- (4) endorsed as an independent practice school psychologist under IC 20-28-12.
- (b) As used in this section, "restricted psychology test or instrument" means a measurement instrument or device used for treatment planning, diagnosing, or classifying intelligence, mental and emotional disorders and disabilities, disorders of personality, or neuropsychological, neurocognitive, or cognitive functioning. The term does not apply to an educational instrument used in a school setting to assess educational progress or an appraisal instrument.
 - (c) It is unlawful for an individual to:
 - (1) claim that the individual is a psychologist; or
 - (2) use any title which uses the word "psychologist", "clinical psychologist", "Indiana endorsed school psychologist" or "psychometrist", or any variant of these words, such as "psychology", or "psychological", or "psychologic";

unless that individual holds a valid license issued under this article or a valid endorsement issued under IC 20-28-12.

- (d) It is unlawful for any individual, regardless of title, to render, or offer to render, psychological services to individuals, organizations, or to the public, unless the individual holds a valid license issued under this article or a valid endorsement issued under IC 20-28-12 or is exempted under section 1.1 of this chapter.
 - (e) It is unlawful for an individual, other than:
 - (1) a psychologist licensed under IC 25-33-1-5.1;
 - (2) an appropriately trained mental health provider under the direct supervision of a health service provider endorsed under IC 25-33-1-5.1(c);
 - (3) a qualified physician licensed under IC 25-22.5;
 - (4) a school psychologist who holds a valid:
 - (A) license issued by the professional standards board department of education under IC 20-28-2; or
 - (B) endorsement under IC 20-28-12;

who practices within the scope of the school psychologist's



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license or endorsement; or

(5) a minister, priest, rabbi, or other member of the clergy providing pastoral counseling or other assistance;

to administer or interpret a restricted psychology test or instrument as established by the board under IC 25-33-1-3(g) section 3(g) of this chapter in the course of rendering psychological services to individuals, organizations, or to the public.

- (f) This section may not be interpreted to prevent a licensed or certified health care professional from practicing within the scope of the health care professional's:
 - (1) license or certification; and
 - (2) training or credentials.

SECTION 119. IC 34-30-14-2.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 2.5. A teacher who:**

- (1) meets the requirement of IC 20-28-5-3.5; and
- (2) either:
 - (A) performs:
 - (i) cardiopulmonary resuscitation; or
 - (ii) the Heimlich maneuver;

on; or

(B) removes a foreign body that is obstructing the airway of:

another individual;

in the course of employment as a teacher is not liable in a civil action for damages resulting from an act or omission occurring during the performance of a function under this section unless the act or omission constitutes gross negligence or willful and wanton misconduct."

Page 43, line 26, after "IC 20-6.1-3-6;" insert "IC 20-8.1-4-3; IC 20-10.1-16-9.1; IC 20-10.1-16-10; IC 20-10.1-16-12;".

Page 43, line 26, delete "IC 20-10.2-2-9.5." and insert "IC 20-10.2-2-9.5; IC 20-28-1-4; IC 20-28-5-6; IC 20-32-5-18; IC 20-32-5-20; IC 20-32-5-22.".

Page 43, line 28, delete "IC 20-1-1.4-2" and insert "IC 20-28-2-1". Page 43, line 31, delete "IC 20-1-1.1-2:" and insert "IC 20-19-3-1:". Page 43, line 40, delete "IC 20-1-1.4-11," and insert "IC 20-28-2-10,".

Page 44, line 3, delete "IC 20-1-1.4-3." and insert "IC 20-28-2-2.". Page 44, line 7, delete "IC 20-1-1.4-2.5," and insert "IC 20-28-2-1.5,".

Page 44, line 11, delete "IC 20-1-1.4-3," and insert "IC 20-28-2-2,".

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Page 44, line 18, delete "IC 20-1-1.1-2." and insert "**20-19-3-1.**". Page 44, line 23, delete "IC 20-1-1.1-2." and insert "**IC 20-19-3-1.**". Page 44, after line 23, begin a new paragraph and insert:

"SECTION 122. [EFFECTIVE UPON PASSAGE] (a) Notwithstanding IC 20-28-5-3.5, as added by this act, a college or university located in Indiana may recommend to an individual who has been accepted in a teacher training program before July 1, 2005, that the individual should meet the requirements of IC 20-28-5-3.5, as added by this act.

(b) This SECTION expires June 30, 2007.

SECTION 123. [EFFECTIVE UPON PASSAGE] (a) The department of education shall develop a form for the written consent to withdraw from school for a school corporation's use in implementing IC 20-33-2-11.5 as added by this act.

- (b) The department of education shall compile and make available to schools statistics concerning the likely consequences of life without a high school diploma. The statistics must include, but are not limited to, statistics that show the likelihood of an individual's:
 - (1) unemployment or a lower paying job; and
- (2) involvement in criminal activity; as the consequence of not obtaining a high school diploma.
- (c) The department of education shall update the statistics described in subsection (b) every two (2) years.
 - (d) This SECTION expires December 31, 2005.

SECTION 124. [EFFECTIVE JULY 1, 2005]: (a) If a statute is passed that requires, beginning with the 2010-2011 school year and with certain exceptions, a student to complete the Core 40 curriculum in order to graduate from high school, the department of education shall study and make findings and recommendations on alternate methods for certification including certification in nontraditional ways for teacher licensing for teachers currently employed by a public school to fulfill available positions in shortage areas including mathematics and science and any other subject area designated as a shortage area by the Indiana state board of education.

- (b) In conducting the study and making a determination under this SECTION, the department shall but is not limited to consider the following factors:
 - (1) the experience of the teacher; and
 - (2) the subject areas the teacher is currently licensed in.
 - (c) The department shall use any additional certification



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obtained by a teacher for license renewal.

- (d) The department shall submit a report of its findings and recommendations under this SECTION not later than December 31, 2005, to the legislative council in an electronic format under IC 5-14-6.
 - (d) The report must include:
 - (1) the results of the study; and
 - (2) recommendations to the legislative council concerning alternative teacher licensing methods.
 - (e) This SECTION expires December 31, 2005.

SECTION 125. An emergency is declared for this act.".

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 371 as printed February 18, 2005.)

BEHNING, Chair

Committee Vote: yeas 8, nays 4.





